



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

18 January 2007

Notices and Information of a General Character

| | Page |
|---|------|
| Fees Payable under the PCT | |
| KR Republic of Korea | 2 |
| Meetings of the International Patent Cooperation Union – Assembly (Thirty-Fifth (20th Extraordinary) Session) | |
| Note Prepared by the International Bureau | 2 |
| Amendments of the Regulations under the PCT | 4 |
| Decisions Relating to Entry into Force and Transitional Arrangements | 10 |
| Understandings Relating to Certain Provisions | 11 |

FEES PAYABLE UNDER THE PCT

KR Republic of Korea

The **Korean Intellectual Property Office** has notified changes relating to the fee for request for examination and to the annual fees from the first to the third year, per year, for patents and for utility models, respectively, payable to the Office as designated (or elected) Office, as follows:

National fee:

For patent:

| | |
|---|--|
| Filing fee: | [No change] |
| Fee for request for examination: | [No change] KRW 32,000 for each claim |
| Annual fees from the first to the third year, per year: | [No change] KRW 18,000 for each claim |

For utility model:

| | |
|---|--|
| Filing fee: | [No change] |
| Fee for request for examination: | [No change] KRW 14,000 for each claim |
| Annual fees from the first to the third year, per year: | [No change] KRW 5,000 for each claim |

[Updating of the National Chapter (KR) of the *PCT Applicant's Guide*]

MEETINGS OF THE INTERNATIONAL PATENT COOPERATION UNION – ASSEMBLY (THIRTY-FIFTH (20TH EXTRAORDINARY) SESSION)

NOTE PREPARED BY THE INTERNATIONAL BUREAU

In addition to the amendments to the Schedule of Fees annexed to the PCT Regulations and to the modifications of the Administrative Instructions under the PCT published in PCT Gazette No. 41/2006, of 12 October 2006, page 19092, a number of other amendments to the PCT Regulations and other changes affecting the PCT system were approved by the Assembly of the International Patent Cooperation Union (PCT Union) during its thirty-fifth (20th extraordinary) session, which was held in Geneva from 25 September to 3 October 2006 as part of the meetings of the Assemblies of the Member States of WIPO.

Documents which were prepared for the PCT Assembly as well as the report of the session are available on the WIPO website at:

www.wipo.int/meetings/en/details.jsp?meeting_code=pct/a/35

The said amendments and changes are outlined below.

Appointment of a new International Searching and Preliminary Examining Authority

The Assembly approved the text of the draft Agreement between the Nordic Patent Institute and the International Bureau and appointed the Nordic Patent Institute as an International Searching Authority (ISA) and International Preliminary Examining Authority (IPEA) with effect from the entry into force of that Agreement until December 31, 2007, bringing the number of Offices which have been appointed as ISA/IPEA to 13. The said Agreement will be published in Official Notices (PCT Gazette) in due course.

Amendments to the PCT Regulations

The Assembly adopted amendments to the PCT Regulations, further to those which were adopted in October 2005, which will enter into force on 1 April 2007¹ and will apply to international applications whose international filing date will be on or after that date. The amendments relate to:

i) minimum requirements for International Searching and Preliminary Examining Authorities (relating to the International Authorities' quality management systems and internal review arrangements);

ii) changes to physical requirements of the international application to assist optical character recognition (minimum text size requirements and procedure for making corrections);

iii) clarification of language-related requirements of the international application (relating to the language of indications in relation to deposited biological material, of corrections of defects in translations and of the international search report, and to the establishment of translations of international search reports, abstracts, etc.);

iv) clarifications and consequential amendments relating to amendments previously adopted by the Assembly.

The text of the amended Rules is reproduced on pages 4 to 9.

Together with the approval of amendments to the PCT Regulations, the Assembly also made decisions relating to entry into force and transitional arrangements, and agreed upon understandings relating to certain provisions. The text of both the decisions and the understandings may be found on page 10 and page 11, respectively.

PCT Reform

The Assembly agreed that there would be a further session of the Working Group on Reform of the PCT before the 2007 session of the Assembly to consider outstanding proposals for reform of the PCT including, in particular, options for applicants to request international publication in multiple languages and supplementary searches to be carried out by Authorities other than the main International Searching Authority, as well as proposals relating to declaration of the source of genetic resources and traditional knowledge in patent applications. The Assembly noted that there are only a few PCT reform-related items remaining on the agenda of the Working Group and that the next meeting of the Working Group would most likely be the last in the present reform exercise.

Quality management systems for PCT International Authorities, quality of international searches, PCT information systems report

The Assembly also received status reports on quality management systems for PCT International Authorities, on projects related to improving the quality of international searches and on PCT automation.

¹ For the amendments adopted in October 2005 which will enter into force on 1 April 2007, see PCT Gazette No. 08/2006, of 23 February 2006, pages 5496 to 5540.

AMENDMENTS OF THE REGULATIONS UNDER THE PCT

(to enter into force on 1 April 2007)

Rule 11

Physical Requirements of the International Application

11.1 to 11.8 [No change]

11.9 *Writing of Text Matter*

(a) to (c) [No change]

(d) All text matter shall be in characters the capital letters of which are not less than 0.28 cm high, and shall be in a dark, indelible color, satisfying the requirements specified in Rule 11.2, provided that any text matter in the request may be in characters the capital letters of which are not less than 0.21 cm high.

(e) [No change]

11.10 to 11.14 [No change]

Rule 12

**Language of the International Application
and Translations for the Purposes of International Search
and International Publication**

12.1 and 12.1*bis* [No change]

12.1*ter* *Language of Indications Furnished under Rule 13bis.4*

Any indication in relation to deposited biological material furnished under Rule 13*bis*.4 shall be in the language in which the international application is filed, provided that, where a translation of the international application is required under Rule 12.3(a) or 12.4(a), any such indication shall be furnished in both the language in which the application is filed and the language of that translation.

12.2 *Language of Changes in the International Application*

(a) and (b) [No change]

(c) Any correction under Rule 26 of a defect in the international application shall be in the language in which the international application is filed. Any correction under Rule 26 of a defect in a translation of the international application furnished under Rule 12.3 or 12.4, any correction under Rule 55.2(c) of a defect in a translation furnished under Rule 55.2(a), or any correction of a defect in a translation of the request furnished under Rule 26.3*ter*(c), shall be in the language of the translation.

12.3 and 12.4 [No change]

Rule 20
International Filing Date

20.1 to 20.7 [No change]

20.8 *Incompatibility with National Laws*

(a) [No change] If, on October 5, 2005, any of Rules 20.3(a)(ii) and (b)(ii), 20.5(a)(ii) and (d), and 20.6 are not compatible with the national law applied by the receiving Office, the Rules concerned shall not apply to an international application filed with that receiving Office for as long as they continue not to be compatible with that law, provided that the said Office informs the International Bureau accordingly by April 5, 2006. The information received shall be promptly published by the International Bureau in the Gazette.

(a-bis) Where a missing element or part cannot be incorporated by reference in the international application under Rules 4.18 and 20.6 because of the operation of paragraph (a) of this Rule, the receiving Office shall proceed as provided for in Rule 20.3(b)(i), 20.5(b) or 20.5(c), as the case may be. Where the receiving Office proceeds as provided for in Rule 20.5(c), the applicant may proceed as provided for in Rule 20.5(e).

(b) [No change] If, on October 5, 2005, any of Rules 20.3(a)(ii) and (b)(ii), 20.5(a)(ii) and (d), and 20.6 are not compatible with the national law applied by the designated Office, the Rules concerned shall not apply in respect of that Office in relation to an international application in respect of which the acts referred to in Article 22 have been performed before that Office for as long as they continue not to be compatible with that law, provided that the said Office informs the International Bureau accordingly by April 5, 2006. The information received shall be promptly published by the International Bureau in the Gazette.

(c) Where an element or part is considered to have been incorporated by reference in the international application by virtue of a finding of the receiving Office under Rule 20.6(b), but that incorporation by reference does not apply to the international application for the purposes of the procedure before a designated Office because of the operation of paragraph (b) of this Rule, the designated Office may treat the application as if the international filing date had been accorded under Rule 20.3(b)(i) or 20.5(b), or corrected under Rule 20.5(c), as the case may be, provided that Rule 82^{ter}.1(c) and (d) shall apply *mutatis mutandis*.

Rule 26
Checking by, and Correcting before, the Receiving Office
of Certain Elements of the International Application

26.1 to 26.3^{ter} [No change]

26.4 *Procedure*

A correction of the request offered to the receiving Office may be stated in a letter addressed to that Office if the correction is of such a nature that it can be transferred from the letter to the request without adversely affecting the clarity and the direct reproducibility of the sheet on to which the correction is to be transferred; otherwise, and in the case of a correction of any element of the international application other than the request, the applicant shall be required to submit a replacement sheet embodying the correction and the letter accompanying

the replacement sheet shall draw attention to the differences between the replaced sheet and the replacement sheet.

26.5 and 26.6 [No change]

Rule 36
Minimum Requirements for International Searching Authorities

36.1 *Definition of Minimum Requirements*

The minimum requirements referred to in Article 16(3)(c) shall be the following:

(i) to (iii) [No change]

(iv) that Office or organization must have in place a quality management system and internal review arrangements in accordance with the common rules of international search;

(v) that Office or organization must hold an appointment as an International Preliminary Examining Authority.

Rule 43
The International Search Report

43.1 to 43.3 [No change]

43.4 *Language*

Every international search report and any declaration made under Article 17(2)(a) shall be in the language in which the international application to which it relates is to be published, provided that:

(i) if a translation of the international application into another language was transmitted under Rule 23.1(b) and the International Searching Authority so wishes, the international search report and any declaration made under Article 17(2)(a) may be in the language of that translation;

(ii) if the international application is to be published in the language of a translation furnished under Rule 12.4 which is not accepted by the International Searching Authority and that Authority so wishes, the international search report and any declaration made under Article 17(2)(a) may be in a language which is both a language accepted by that Authority and a language of publication referred to in Rule 48.3(a).

43.5 to 43.10 [No change]

Rule 48
International Publication

48.1 and 48.2 [No change]

48.3 *Languages of Publication*

(a) and (b) [No change]

(c) If the international application is published in a language other than English, the international search report to the extent that it is published under Rule 48.2(a)(v), or the declaration referred to in Article 17(2)(a), the title of the invention, the abstract and any text matter pertaining to the figure or figures accompanying the abstract shall be published both in that language and in English. The translations, if not furnished by the applicant under Rule 12.3, shall be prepared under the responsibility of the International Bureau.

48.4 to 48.6 [No change]

Rule 54bis
Time Limit for Making a Demand

54bis.1 *Time Limit for Making a Demand*

(a) A demand may be made at any time prior to the expiration of whichever of the following periods expires later:

(i) three months from the date of transmittal to the applicant of the international search report or the declaration referred to in Article 17(2)(a), and of the written opinion established under Rule 43bis.1; or

(ii) 22 months from the priority date.

(b) [No change]

Rule 55
Languages (International Preliminary Examination)

55.1 [No change]

55.2 *Translation of International Application*

(a) [No change]

(a-bis) A translation of the international application into a language referred to in paragraph (a) shall include any element referred to in Article 11(1)(iii)(d) or (e) furnished by the applicant under Rule 20.3(b) or 20.6(a) and any part of the description, claims or drawings furnished by the applicant under Rule 20.5(b) or 20.6(a) which is considered to have been contained in the international application under Rule 20.6(b).

(a-ter) The International Preliminary Examining Authority shall check any translation furnished under paragraph (a) for compliance with the physical requirements referred to in Rule 11 to the extent that compliance therewith is necessary for the purposes of the international preliminary examination.

(b) [No change]

(c) If a requirement referred to in paragraphs (a), (a-*bis*) and (a-*ter*) is not complied with and paragraph (b) does not apply, the International Preliminary Examining Authority shall invite the applicant to furnish the required translation or the required correction, as the case may be, within a time limit which shall be reasonable under the circumstances. That time limit shall not be less than one month from the date of the invitation. It may be extended by the International Preliminary Examining Authority at any time before a decision is taken.

(d) If the applicant complies with the invitation within the time limit under paragraph (c), the said requirement shall be considered to have been complied with. If the applicant fails to do so, the demand shall be considered not to have been submitted and the International Preliminary Examining Authority shall so declare.

55.3 [No change]

Rule 63
Minimum Requirements for
International Preliminary Examining Authorities

63.1 *Definition of Minimum Requirements*

The minimum requirements referred to in Article 32(3) shall be the following:

(i) to (iii) [No change]

(iv) that Office or organization must have in place a quality management system and internal review arrangements in accordance with the common rules of international preliminary examination;

(v) that Office or organization must hold an appointment as an International Searching Authority.

Rule 76
Translation of Priority Document;
Application of Certain Rules to Procedures before Elected Offices

76.1, 76.2 and 76.3 *[Remain deleted]*

76.4 [No change]

76.5 *Application of Certain Rules to Procedures before Elected Offices*

Rules 13^{ter}.3, 20.8(c), 22.1(g), 47.1, 49, 49^{bis}, 49^{ter} and 51^{bis} shall apply, provided that:

(i) to (v) [No change]

Rule 91
Rectification of Obvious Mistakes in the
International Application and Other Documents

91.1 and 91.2 [No change]

91.3 *Authorization and Effect of Rectifications*

(a) to (e) [No change]

(f) A designated Office may disregard a rectification that was authorized under Rule 91.1 only if it finds that it would not have authorized the rectification under Rule 91.1 if it had been the competent authority, provided that no designated Office shall disregard any rectification that was authorized under Rule 91.1 without giving the applicant the opportunity to make observations, within a time limit which shall be reasonable under the circumstances, on the Office's intention to disregard the rectification.

AMENDMENTS OF THE REGULATIONS UNDER THE PCT AND
THE SCHEDULE OF FEES ANNEXED TO THOSE REGULATIONS:
DECISIONS RELATING TO ENTRY INTO FORCE
AND TRANSITIONAL ARRANGEMENTS

1. The amendments of the Regulations under the PCT set out in Annex I shall enter into force on April 1, 2007, and shall apply to international applications whose international filing date is on or after April 1, 2007, provided that Rules 20.8(a-*bis*) and (c), 55.2(a-*bis*) and 76.5 as amended shall not apply to international applications in respect of which one or more elements referred to in Article 11(1)(iii) were first received by the receiving Office before April 1, 2007.
2. The amendments of the Regulations under the PCT set out in Annex I shall not apply to international applications whose international filing date is before April 1, 2007, provided that:
 - (a) Rule 43.4 as amended shall apply to any international application in respect of which an international search report is established on or after April 1, 2007, whether the international filing date is before, on or after April 1, 2007;
 - (b) Rule 48.3(c) as amended shall apply to any international application which is published under Article 21 on or after April 1, 2007, whether the international filing date is before, on or after April 1, 2007;
 - (c) Rules 54*bis*.1 and 55.2(a-*ter*), (c) and (d) as amended shall apply to any international application in respect of which a demand for international preliminary examination is made on or after April 1, 2007, whether the international filing date is before, on or after April 1, 2007.
3. The amendments of the Schedule of Fees annexed to the Regulations under the PCT set out in Annex II shall enter into force on October 12, 2006, and shall apply to international applications whose international filing date is on or after October 12, 2006, provided that the Schedule of Fees as worded before its amendment shall continue to apply to international applications which are received by the receiving Office before October 12, 2006, and are accorded an international filing date that is on or after October 12, 2006.
4. The amendments of the Schedule of Fees annexed to the Regulations under the PCT set out in Annex II shall not apply to international applications whose international filing date is before October 12, 2006.

AMENDMENTS OF THE REGULATIONS UNDER THE PCT:
UNDERSTANDINGS RELATING TO CERTAIN PROVISIONS

1. In connection with the adoption of amended Rules 20.8(c) and 76.5, the Assembly noted that:

(a) where an element or part is considered to have been incorporated by reference in the international application by virtue of a finding of the receiving Office under Rule 20.6(b), but that incorporation by reference does not apply to the international application for the purposes of the procedure before a designated or elected Office because of the operation of Rule 20.8(b), the time limit for performing the acts referred to in Articles 22 and 39 before such designated or elected Office would be calculated on the basis of the priority date referred to in Article 2(xi) having due regard to the international filing date as accorded by the receiving Office; and

(b) the same should apply where that incorporation by reference does not apply to the international application for the purposes of the procedure before a designated or elected Office because of the operation of Rule 82*ter*.1(b) as adopted by the Assembly in October 2005 with effect from April 1, 2007.



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

25 January 2007

Notices and Information of a General Character

| | Page |
|-----------------------------------|------|
| Fees Payable under the PCT | |
| CA/IB Canada/International Bureau | 13 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

FEES PAYABLE UNDER THE PCT

CA Canada

IB International Bureau

For the purposes of the payment of fees to the **International Bureau** as receiving Office, a new equivalent amount in **euro (EUR)** of the search fee, payable in respect of an international search carried out by the **Canadian Intellectual Property Office**, has been established. This amount, applicable from 1 April 2007, is as follows:

Search fee (PCT Rule 16): EUR 1,050

[Updating of Annex D(CA) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

1 February 2007

Notices and Information of a General Character

| | Page |
|--|------|
| International Searching Authorities | |
| International Preliminary Examining Authorities | |
| AU Australia | 15 |
| Information on Contracting States and Intergovernmental Organizations | |
| MT/EP Malta/European Patent Organisation (EPO) | 16 |
| Fees Payable under the PCT | |
| AU Australia | 16 |
| SE Sweden | 17 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

**INTERNATIONAL SEARCHING AUTHORITIES
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES**

AU Agreement between the Government of Australia and the International Bureau of the World Intellectual Property Organization¹ – Amendment to Annex C

The **Australian Patent Office** has notified the International Bureau, in accordance with Article 11(3)(ii) of the above-mentioned Agreement, of amendments to Part I of Annex C thereof. These amendments will enter into force on 1 March 2007. The amended Annex C will read as follows:

**“Annex C
Fees and Charges**

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (Australian dollars) |
|---|--|
| Search fee (Rule 16.1(a)) | 1,600 |
| Additional fee (Rule 40.2(a)) | 1,600 |
| Preliminary examination fee (Rule 58.1(b)): | |
| – where the international search report was issued by the Authority | [No change] |
| – in other cases | 780 |
| Additional fee (Rule 68.3(a)) | [No change] |
| Cost of copies (Rules 44.3(b) and 71.2(b)), per document | 50 |
| Cost of copies (Rule 94), per document | 50 |

Part II. [No change]”

¹ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_au.pdf.

INFORMATION ON CONTRACTING STATES AND INTERGOVERNMENTAL ORGANIZATIONS

MT Malta

EP European Patent Organisation (EPO)

Malta deposited, on 1 December 2006, its instrument of accession to the **European Patent Convention (EPC)** and will become bound by that Convention on 1 March 2007. Thus, as from 1 March 2007, it will be possible for applicants to designate Malta in their international applications also for the purposes of obtaining a European patent, and not only for the purposes of obtaining a national patent, as at present.

Moreover, as from 1 March 2007, nationals and residents of Malta will be able to file international applications with the European Patent Office as receiving Office, in addition to the Patent Office of Malta or the International Bureau of WIPO.

[Updating of Annexes B2(EP) and C(EP) of the *PCT Applicant's Guide*]

FEES PAYABLE UNDER THE PCT

AU Australia

The **Australian Patent Office** has notified new amounts of fees in **Australian dollars (AUD)**, payable to it as International Searching Authority or as International Preliminary Examining Authority. These amounts, applicable from 1 March 2007, are as follows:

| | |
|---|-----------------------|
| Search fee (PCT Rule 16): | AUD 1,600 |
| Additional search fee (PCT Rule 40.2): | AUD 1,600 |
| Fee for copies of documents cited in the international search report (PCT Rule 44.3): | AUD 50 per document |
| Preliminary examination fee (PCT Rule 58): | AUD [No change] (780) |

The amount in parentheses is payable where the international search report was not issued by the Australian Patent Office.

| | |
|--|---------------------|
| Additional preliminary examination fee (PCT Rule 68.3): | [No change] |
| Fee for copies of documents cited in the international preliminary examination report (PCT Rule 71.2): | AUD 50 per document |
| Fee for copies of documents contained in the file of the international application (PCT Rule 94.2): | AUD 50 per document |

[Updating of Annexes D(AU) and E(AU) of the *PCT Applicant's Guide*]

SE Sweden

New equivalent amounts in **Swedish kronor (SEK)** have been established for the international filing fee, pursuant to PCT Rule 15.2(d), as well as for the reductions under item 3 of the Schedule of Fees. These amounts, applicable from 1 April 2007, are as follows:

| | |
|--|-----------|
| International filing fee: | SEK 7,950 |
| Reductions (under Schedule of Fees, item 3): | |
| PCT-EASY: | SEK 570 |
| Electronic filing (the request in character coded format): | SEK 1,140 |
| Electronic filing (the request, description, claims and abstract in character coded format): | SEK 1,700 |

[Updating of Annex C(SE) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

15 February 2007

Notices and Information of a General Character

| | Page |
|---|------|
| Modifications of the Administrative Instructions under the PCT | |
| Note prepared by the International Bureau | 19 |
| Text of the Administrative Instructions | 20 |
| Fees Payable under the PCT | |
| CZ Czech Republic | 33 |
| ZA South Africa | 33 |
| Filing of PCT-EASY Requests Together with PCT-EASY Physical Media: Notification by Receiving Offices | |
| IL Israel | 34 |

MODIFICATIONS OF THE ADMINISTRATIVE INSTRUCTIONS UNDER THE PCT

NOTE PREPARED BY THE INTERNATIONAL BUREAU

Following the adoption by the Assembly of the International Patent Cooperation Union (PCT Union), at its thirty-fourth (15th ordinary) session, held in Geneva from 26 September to 5 October 2005, of amendments to the Regulations under the PCT which will enter into force on 1 April 2007 (see PCT Gazette No. 08/2006 of 23 February 2006, pages 5496 to 5540), a number of modifications have been made to Sections 102, 113, 303, 307, 308, 309, 310, 324, 325, 410, 411, 413, 511, 607 and to Annexes D and E of the Administrative Instructions under the PCT. In addition to the modification of the existing Sections listed above, new Sections 305*ter*, 308*bis*, 310*bis*, 310*ter*, 411*bis* and 413*bis* have been included in the Administrative Instructions under the PCT.

All modifications of the Administrative Instructions under the PCT will apply to international applications filed on or after 1 April 2007.

The modifications involve:

(i) clarifications and simplifications which are not consequential to amendments of the Regulations with effect from 1 April 2007 (Sections 307 and 411);

(ii) referential updates and practical directives consequential to the amendment of PCT Rule 20 relating to the according of the international filing date in general but also providing for the according of the international filing date in cases where certain elements or parts of the application are, or appear to be, missing when the application papers are filed (Sections 102, 303, 305*ter*, 308, 308*bis*, 309, 310, 310*bis*, 310*ter*, 324, 410, 411*bis*, 413 and Annex D);

(iii) referential updates and practical directives consequential to the amendment of PCT Rule 26*bis* in general but with particular relevance to the addition of new PCT Rule 26*bis*.3 relating to restoration of the right of priority where the international application has an international filing date which is later than the date on which the priority period expired but within the period of two months from that date (Sections 102, 113 and Annexes D and E);

(iv) referential updates and practical directives consequential to the amendment of PCT Rule 91, the intention of which is to rationalize the operation of Rule 91 by introducing consistent practices in PCT Offices and Authorities (Sections 113, 325, 413, 413*bis*, 511, 607 and Annex D).

After consultation with the interested Offices and Authorities pursuant to PCT Rule 89.2(b), the modifications to Sections 102, 113, 303, 307, 308, 309, 310, 324, 325, 410, 411, 413, 511, 607 and to Annexes D and E, as well as the inclusion of new Sections 305*ter*, 308*bis*, 310*bis*, 310*ter*, 411*bis* and 413*bis* of the Administrative Instructions under the PCT, as set out on pages 20 to 32 are promulgated with effect from 1 April 2007.

TEXT OF THE ADMINISTRATIVE INSTRUCTIONS

(to enter into force on 1 April 2007)

Section 102
Use of the Forms

(a) Subject to paragraphs (b) to (i) and Section 103, the International Authorities shall use, or require the use of, the mandatory Forms specified below:

(i) Forms for use by the applicant:

PCT/RO/101 (request Form)
PCT/IPEA/401 (demand Form)

(ii) Forms for use by the receiving Offices:

| | | | |
|------------|------------|------------|------------|
| PCT/RO/103 | PCT/RO/112 | PCT/RO/133 | PCT/RO/154 |
| PCT/RO/104 | PCT/RO/113 | PCT/RO/136 | PCT/RO/155 |
| PCT/RO/105 | PCT/RO/114 | PCT/RO/143 | PCT/RO/156 |
| PCT/RO/106 | PCT/RO/115 | PCT/RO/147 | PCT/RO/157 |
| PCT/RO/107 | PCT/RO/117 | PCT/RO/150 | PCT/RO/158 |
| PCT/RO/109 | PCT/RO/118 | PCT/RO/151 | PCT/RO/159 |
| PCT/RO/110 | PCT/RO/123 | PCT/RO/152 | |
| PCT/RO/111 | PCT/RO/126 | PCT/RO/153 | |

(iii) Forms for use by the International Searching Authorities:

| | | | |
|-------------|-------------|-------------|-------------|
| PCT/ISA/201 | PCT/ISA/209 | PCT/ISA/219 | PCT/ISA/234 |
| PCT/ISA/202 | PCT/ISA/210 | PCT/ISA/220 | PCT/ISA/235 |
| PCT/ISA/203 | PCT/ISA/212 | PCT/ISA/225 | PCT/ISA/236 |
| PCT/ISA/205 | PCT/ISA/217 | PCT/ISA/228 | PCT/ISA/237 |
| PCT/ISA/206 | PCT/ISA/218 | PCT/ISA/233 | |

(iv) Forms for use by the International Bureau:

| | | | |
|------------|------------|------------|------------|
| PCT/IB/301 | PCT/IB/319 | PCT/IB/345 | PCT/IB/369 |
| PCT/IB/304 | PCT/IB/320 | PCT/IB/346 | PCT/IB/370 |
| PCT/IB/305 | PCT/IB/321 | PCT/IB/349 | PCT/IB/371 |
| PCT/IB/306 | PCT/IB/323 | PCT/IB/350 | PCT/IB/373 |
| PCT/IB/307 | PCT/IB/325 | PCT/IB/351 | PCT/IB/374 |
| PCT/IB/308 | PCT/IB/326 | PCT/IB/353 | PCT/IB/399 |
| PCT/IB/310 | PCT/IB/331 | PCT/IB/354 | |
| PCT/IB/311 | PCT/IB/332 | PCT/IB/356 | |
| PCT/IB/313 | PCT/IB/335 | PCT/IB/357 | |
| PCT/IB/314 | PCT/IB/336 | PCT/IB/358 | |
| PCT/IB/315 | PCT/IB/337 | PCT/IB/360 | |
| PCT/IB/316 | PCT/IB/338 | PCT/IB/366 | |
| PCT/IB/317 | PCT/IB/339 | PCT/IB/367 | |
| PCT/IB/318 | PCT/IB/344 | PCT/IB/368 | |

(v) Forms for use by the International Preliminary Examining Authorities:

| | | | |
|--------------|--------------|--------------|--------------|
| PCT/IPEA/402 | PCT/IPEA/412 | PCT/IPEA/431 | PCT/IPEA/443 |
| PCT/IPEA/404 | PCT/IPEA/414 | PCT/IPEA/436 | PCT/IPEA/444 |
| PCT/IPEA/405 | PCT/IPEA/415 | PCT/IPEA/437 | |
| PCT/IPEA/407 | PCT/IPEA/416 | PCT/IPEA/440 | |
| PCT/IPEA/408 | PCT/IPEA/420 | PCT/IPEA/441 | |
| PCT/IPEA/409 | PCT/IPEA/425 | PCT/IPEA/442 | |

(b) Slight variations in layout necessary in view of the printing of the Forms referred to in paragraph (a) in various languages are permitted.

(c) Slight variations in layout in the Forms referred to in paragraph (a)(ii) to (v) are permitted to the extent necessary to meet the particular office requirements of the International Authorities, in particular in view of the production of the Forms by computer or of the use of window envelopes.

(d) Where the receiving Office, the International Searching Authority and/or the International Preliminary Examining Authority are each part of the same Office, the obligation to use the Forms referred to in paragraph (a) does not extend to communications within that same Office.

(e) The annexes to Forms PCT/RO/106, PCT/RO/118, PCT/ISA/201, PCT/ISA/205, PCT/ISA/206, PCT/ISA/210, PCT/ISA/219, PCT/IB/313, PCT/IB/336, PCT/IPEA/404, PCT/IPEA/405 and PCT/IPEA/415 may be omitted in cases where they are not used.

(f) The notes attached to Forms PCT/RO/101 (request Form) and PCT/IPEA/401 (demand Form) shall be distributed by the International Authorities concerned together with the printed versions of those Forms. The notes attached to Form PCT/ISA/220 shall accompany the Form when sent to the applicant.

(g) The use of Forms other than those referred to in paragraph (a) is optional.

(h) Where the request or the demand is presented as a computer print-out, such print-out shall be prepared as follows:

(i) the layout and contents of the request and the demand when presented as computer print-outs shall correspond to the format of Forms PCT/RO/101 (request Form) and PCT/IPEA/401 (demand Form) (“the printed Forms”), with the same information being presented on the corresponding pages;

(ii) all boxes shall be drawn by solid lines; double lines may be presented as single lines;

(iii) the box numbers and box titles shall be included even where no information is supplied therein;

(iv) the boxes for use by the International Authorities shall be at least as large as those on the printed Forms;

(v) all other boxes shall be within one cm in size of those on the printed Forms;

(vi) all text shall be 9 points or larger in size;

(vii) titles and other information shall be clearly distinguished;

(viii) explanatory notes presented in italics on the printed Forms may be omitted.

(i) Other formats permitted for the presentation of the request and the demand as computer print-outs may be determined by the Director General. Any such format shall be published in the Gazette.

Section 113
Special Fees Payable to the International Bureau

(a) The special publication fee provided for in Rule 48.4 shall be 200 Swiss francs.

(b) The special fee provided for in Rule 91.3(d) shall be payable to the International Bureau and shall be 50 Swiss francs plus 12 Swiss francs for each sheet in excess of one. Where that fee has not been paid prior to the expiration of the time limit under Rule 91.3(d), the request for rectification, the reasons for refusal by the authority and any further brief comments submitted by the applicant shall not be published. Where the last sentence of Rule 91.3(d) applies and the said fee has not been paid before the time of the communication of the international application under Article 20, a copy of the request for rectification shall not be included in that communication.

(c) The special fee provided for in Rule 26*bis*.2(e) shall be payable to the International Bureau and shall be 50 Swiss francs plus 12 Swiss francs for each sheet in excess of one.

Section 303
Deletion of Additional Matter in the Request

(a) Where, under Rule 4.19(b), the receiving Office deletes *ex officio* any matter contained in the request, it shall do so by enclosing such matter within square brackets and entering, in the margin, the words “DELETED BY RO” or their equivalent in the language of publication of the international application, and shall notify the applicant accordingly. If copies of the international application have already been sent to the International Bureau and the International Searching Authority, the receiving Office shall also notify that Bureau and that Authority.

(b) The receiving Office shall not delete *ex officio* any indication made in declarations referred to in Rule 4.17 which are contained in the request.

Section 305*ter*
**Identification and Transmittal of the Translation of an Earlier Application
Furnished under Rule 20.6(a)(iii)**

Where a translation of an earlier application is furnished under Rule 20.6(a)(iii), the receiving Office shall mark the words “TRANSLATION OF EARLIER APPLICATION (RULE 20.6(a)(iii))” in the upper left-hand corner of the first page of the translation and, after having made a finding under Rule 20.6(b) or (c), transmit the translation to the International Bureau.

Section 307
System of Numbering International Applications

Papers purporting to be an international application under Rule 20.1(a) shall be allocated an international application number, consisting of the letters “PCT,” a slant, the two-letter code referred to in Section 115, indicating the receiving Office, a four-digit indication of the year in which such papers were first received, a slant and a six-digit number, allotted in sequential order corresponding to the order in which the international applications are received (e.g., “PCT/SE2004/000001”). Where the International Bureau acts as receiving Office, the two-letter code “IB” shall be used.

Section 308
Marking of the Sheets
of the International Application and of the Translation Thereof

(a) Upon receipt of papers purporting to be an international application, the receiving Office shall indelibly mark the date of actual receipt on the request of each copy received.

(b) The receiving Office shall indelibly mark the international application number referred to in Section 307 in the upper right-hand corner of each sheet of each copy of the purported international application and of any translation of the international application furnished under Rules 12.3 or 12.4.

(c) If a positive determination is made under Rule 20.2, the receiving Office shall mark on the request the name of the receiving Office and the words “PCT International Application” or “Demande internationale PCT”. If the official language of the receiving Office is neither English nor French, the words “International Application” or “Demande internationale” may be accompanied by a translation of these words in the official language of the receiving Office.

(d) If a negative determination is made under Rule 20.4 or a declaration is made under Article 14(4), the letters “PCT” shall be deleted by the receiving Office from the indication of the international application number on any papers marked previously with that number, and the said number shall be used without such letters in any future correspondence relating to the purported international application.

Section 308bis
Marking of Later Submitted Sheets

The receiving Office shall indelibly mark any sheet containing an element referred to in Article 11(1)(iii)(d) or (e), or a part referred to in Rule 20.5(a), received on a date later than the date on which sheets were first received (“later submitted sheet”), in the upper right-hand corner of each sheet, with the international application number referred to in Section 307 and the date of actual receipt of that sheet.

Section 309
Procedure in the Case of Later Submitted Sheets
Furnished for the Purposes of Incorporation by Reference

(a) This Section applies, subject to paragraph (f), to later submitted sheets which accompany a notice confirming under Rule 20.6 that an element or part embodied in those sheets was incorporated by reference.

(b) Where later submitted sheets as referred to in paragraph (a) are received within the applicable time limit referred to in Rule 20.7 and the receiving Office makes a finding under Rule 20.6(b), the receiving Office shall:

(i) indelibly mark, in the middle of the bottom margin of each later submitted sheet, the words “INCORPORATED BY REFERENCE (RULE 20.6)”, or their equivalent in the language of publication of the international application;

(ii) notify the applicant that the element or part contained in the later submitted sheets is considered to have been contained in the international application or purported international application on the date when sheets were first received and that that date has been accorded or retained, as the case may be, as the international filing date;

(iii) keep in its files a copy of the later submitted sheets marked under item (i) and of the notice under Rule 20.6(a);

(iv) where transmittals under Article 12(1) have already been made, notify the International Bureau and the International Searching Authority accordingly, and transmit the later submitted sheets marked under item (i) to the said Bureau and a copy thereof to the said Authority;

(v) where transmittals under Article 12(1) have not yet been made, attach the later submitted sheets marked under item (i) and the notice under Rule 20.6(a) to the record copy and a copy thereof to the search copy.

(c) Where later submitted sheets referred to in paragraph (a) are received within the applicable time limit referred to in Rule 20.7 and the receiving Office makes a finding under Rule 20.6(c), the receiving Office shall, subject to Section 310*bis*:

(i) effect the required correction of the international filing date or accord as the international filing date the date of receipt of the later submitted sheets;

(ii) notify the applicant that the content of the later submitted sheets is not considered to have been contained in the international application or purported international application on the date when sheets were first received and that the international filing date has been accorded as, or corrected to, as the case may be, the date on which the new sheets were received;

(iii) keep in its files a copy of the later submitted sheets and of the notice under Rule 20.6(a);

(iv) where transmittals under Article 12(1) have already been made, notify the International Bureau and the International Searching Authority accordingly and transmit a copy of the corrected first and last sheets of the request, the later submitted sheets and the notice under Rule 20.6(a) to the said Bureau and a copy thereof to the said Authority;

(v) where transmittals under Article 12(1) have not yet been made, attach the later submitted sheets and the notice under Rule 20.6(a) to the record copy and a copy thereof to the search copy.

(d) Where later submitted sheets referred to in paragraph (a) are received within the applicable time limit referred to in Rule 20.7 but the purported international application still does not fulfill the requirements of Article 11(1), the receiving Office shall proceed as provided in Rule 20.4, but not before the expiration of the time limit under Rule 20.7.

(e) Where later submitted sheets referred to in paragraph (a) are received after the expiration of the applicable time limit referred to in Rule 20.7, the receiving Office shall proceed as provided in Section 310*ter*.

(f) Where later submitted sheets referred to in paragraph (a) are received but a missing element or part contained in those sheets cannot be incorporated by reference in the international application under Rules 4.18 and 20.6 because of the operation of Rule 20.8(a), the receiving Office shall:

(i) inform the applicant that the notice under Rule 20.6(a) confirming the incorporation by reference of the missing element or part has been disregarded;

(ii) proceed in accordance with Section 310(b), which shall apply *mutatis mutandis*, as if the notice under Rule 20.6(a) were a correction furnished under Rule 20.3(b)(i), or a missing part furnished under Rules 20.5(b) or (c), as the case may be; and

(iii) proceed in accordance with Section 310*bis*(b) where the applicant requests, within the time limit under Rule 20.5(e), that the missing part concerned be disregarded.

Section 310
Procedure in the Case of Later Submitted Sheets
Not Furnished for the Purposes of Incorporation by Reference

(a) This Section applies to later submitted sheets which do not accompany a notice confirming under Rule 20.6 that an element or part embodied in those sheets was incorporated by reference.

(b) Where later submitted sheets as referred to in paragraph (a) are received within the applicable time limit referred to in Rule 20.7 and where the international filing date is to be accorded under Rules 20.3(b)(i) or 20.5(b), or corrected under Rule 20.5(c), the receiving Office shall, subject to Section 310*bis*:

(i) accord the international filing date in accordance with Rules 20.3(b)(i) or 20.5(b), or effect the required correction of the international filing date in accordance with Rule 20.5(c), as the case may be;

(ii) notify the applicant of the correction or the according of the international filing date effected under item (i);

(iii) keep in its files a copy of the later submitted sheets;

(iv) where transmittals under Article 12(1) have already been made, notify the International Bureau and the International Searching Authority accordingly and transmit a copy of the corrected first and last sheets of the request and the later submitted sheets to the said Bureau and a copy thereof to the said Authority;

(v) where transmittals under Article 12(1) have not yet been made, attach the later submitted sheets to the record copy and a copy thereof to the search copy.

(c) Where later submitted sheets referred to in paragraph (a) are received within the applicable time limit referred to in Rule 20.7 but the purported international application still does not fulfill the requirements of Article 11(1), the receiving Office shall proceed as provided in Rule 20.4.

(d) Where later submitted sheets referred to in paragraph (a) are received after the expiration of the applicable time limit referred to in Rule 20.7, the receiving Office shall proceed as provided in Section 310*ter*.

Section 310*bis*
Procedure in the Case of Later Submitted Sheets
Resulting in the Correction of the International Filing Date under Rule 20.5(c)

(a) Where, following the receipt of later submitted sheets referred to in Sections 309(a) or 310(a) within the applicable time limit referred to in Rule 20.7, the international filing date has been corrected under Rule 20.5(c), the receiving Office shall, in addition to proceeding under Sections 309(c)(i) to (iii), or 310(b)(i) to (iii), as the case may be:

- (i) draw the attention of the applicant to the procedure available under Rule 20.5(e);
- (ii) proceed under Sections 309(c)(iv) or (v), or 310(b)(iv) or (v), as the case may be, but only after the expiration of the time limit under Rule 20.5(e) and only where the applicant has not made a request under that Rule.

(b) Where the applicant requests within the time limit under Rule 20.5(e) that the missing part concerned be disregarded, the receiving Office shall:

(i) restore the international filing date to that which had applied prior to its correction under Rule 20.5(c);

(ii) indelibly mark, in the middle of the bottom margin of each sheet containing the missing part concerned, the words “NOT TO BE CONSIDERED (RULE 20.5(e))”, or their equivalent in the language of publication of the international application;

(iii) notify the applicant that the missing part is considered not to have been furnished and that the international filing date has been restored to that which had applied prior to its correction under Rule 20.5(c);

(iv) keep in its files a copy of the later submitted sheets marked under item (ii) and of the request made under Rule 20.5(e);

(v) where transmittals under Article 12(1) have already been made, notify the International Bureau and the International Searching Authority accordingly, and transmit a copy of the corrected first and last sheets of the request, the later submitted sheets marked under item (ii) and the request made under Rule 20.5(e) to the said Bureau and a copy thereof to the said Authority;

(vi) where transmittals under Article 12(1) have not yet been made, notify the International Bureau accordingly and attach the later submitted sheets marked under item (ii), the notice under Rule 20.6(a) and the request under Rule 20.5(e) to the record copy.

Section 310*ter*
Procedure in the Case of Later Submitted Sheets
Furnished after the Expiration of the Applicable Time Limit Referred to in Rule 20.7

Where later submitted sheets referred to in Sections 309(a) or 310(a) are received after the expiration of the applicable time limit referred to in Rule 20.7, the receiving Office shall:

- (i) notify the applicant of the fact and of the date of receipt of the later submitted sheets, and of the fact that they will not be considered for the PCT procedure;

(ii) indelibly mark, in the middle of the bottom margin of each sheet containing the missing element or part concerned, the words “NOT TO BE CONSIDERED (RULE 20.7)”, or their equivalent in the language of publication of the international application;

(iii) keep in its files a copy of the later submitted sheets marked under item (ii) and, where applicable, of the notice under Rule 20.6(a);

(iv) where transmittals under Article 12(1) have already been made, notify the International Bureau accordingly, and transmit the later submitted sheets marked under item (ii) and, where applicable, the notice under Rule 20.6(a) to the said Bureau;

(v) where transmittals under Article 12(1) have not yet been made, notify the International Bureau accordingly, and attach the later submitted sheets marked under item (ii) and, where applicable, the notice under Rule 20.6(a) to the record copy.

Section 324

Copy of Notification of the International Application Number and the International Filing Date under Rule 20.2(c)

The copy, sent to the International Bureau, of the notification of the international application number and the international filing date under Rule 20.2(c) shall also include, if the priority of an earlier application is claimed in the international application, the date of filing – as indicated in the international application – of that earlier application. If the priority of several earlier applications is claimed, the earliest filing date shall be indicated.

Section 325

Corrections of Defects under Rule 26.4, Rectifications of Obvious Mistakes under Rule 91, and Corrections under Rule 9.2

(a) Where the receiving Office receives a correction of defects under Rule 26.4 or authorizes a rectification of an obvious mistake under Rule 91, it shall:

(i) indelibly mark, in the upper right-hand corner of each replacement sheet, the international application number and the date on which that sheet was received;

(ii) indelibly mark, in the middle of the bottom margin of each replacement sheet, the words “SUBSTITUTE SHEET (RULE 26)” (where the replacement sheet contains a correction of defects under Rule 26) or “RECTIFIED SHEET (RULE 91)” (where the replacement sheet contains the rectification of an obvious mistake under Rule 91) or their equivalent in the language of publication of the international application;

(iii) indelibly mark on the letter containing the correction or rectification, or accompanying any replacement sheet, the date on which that letter was received;

(iv) keep in its files a copy of the letter containing the correction or rectification or, when the correction or rectification is contained in a replacement sheet, the replaced sheet, a copy of the letter accompanying the replacement sheet, and a copy of the replacement sheet;

(v) subject to item (vi), promptly transmit any letter and any replacement sheet to the International Bureau, and a copy thereof to the International Searching Authority;

(vi) where transmittals under Article 12(1) have not yet been made, transmit any letter and any replacement sheet to the International Bureau together with the record copy and, except where the international application is considered withdrawn and Rule 29.1(iii) applies, a copy of the said letter or replacement sheet to the International Searching Authority together with the search copy. The record copy and the search copy shall contain any replaced sheet.

(b) Where the receiving Office refuses to authorize the rectification of an obvious mistake under Rule 91, it shall proceed as indicated under paragraph (a)(i), (iii) and (iv) and promptly transmit any letter and any proposed replacement sheet to the International Bureau. If the record copy has not yet been sent to the International Bureau, any letter and any proposed replacement sheet shall be transmitted together with the record copy.

(c) Where the receiving Office receives corrections aimed at complying with Rule 9.1, paragraphs (a) and (b) shall apply *mutatis mutandis*, provided that, where a sheet is marked as indicated in paragraph (a)(ii), the words “SUBSTITUTE SHEET (RULE 9.2)” shall be used.

Section 410
**Numbering of Sheets for the Purposes of International Publication;
Procedure in Case of Missing Sheets**

(a) In the course of preparing the international application for international publication, the International Bureau shall sequentially renumber the sheets to be published only when necessitated by the addition of any new sheet, the deletion of entire sheets or a change in the order of the sheets. Otherwise, the numbering provided under Section 207 shall be maintained.

(b) Where a sheet has not been filed or is not to be taken into consideration for the purposes of international processing under Section 310*bis* or 310*ter*, the International Bureau shall include an indication to that effect in the published international application.

Section 411
Receipt of Priority Document

(a) The International Bureau shall, in respect of any priority document received by it, record the date on which the priority document has been received by it, and notify the applicant and the designated Offices accordingly. The notification should indicate whether the priority document was or was not submitted or transmitted in compliance with Rule 17.1(a) or (b), and with respect to the designated Offices, should preferably be made together with the notification under Rule 47.1(a-*bis*).

(b) Where the priority document has been submitted or transmitted but not in compliance with Rule 17.1(a) or (b), the International Bureau shall, in the notification under paragraph (a) of this Section, direct the attention of the applicant and the designated Offices to the provisions of Rule 17.1(c).

Section 411*bis*
Receipt of Translation of Earlier Application under Rule 20.6(a)(iii)

The International Bureau shall indicate the words “TRANSLATION (RULE 20.6(a)(iii))”, or their equivalent in French, on any translation received under Rule 20.6(a)(iii).

Section 413

Incorporations by Reference under Rule 20, Corrections of Defects under Rule 26.4, Rectifications of Obvious Mistakes under Rule 91, and Corrections under Rule 9.2

(a) Where the International Bureau receives from the receiving Office a letter containing a correction of any defects under Rule 26.4, or a replacement sheet and the letter accompanying it, the International Bureau shall transfer the correction to the record copy, together with the indication of the date on which the receiving Office received the letter, or shall insert the replacement sheet in the record copy. Any letter and any replaced sheet shall be kept in the file of the international application.

(b) Paragraph (a) shall apply *mutatis mutandis* to rectifications of obvious mistakes under Rule 91 authorized by the receiving Office, by the International Searching Authority or, where a demand has been made, by the International Preliminary Examining Authority and to corrections submitted by the applicant to the receiving Office or the International Searching Authority aimed at complying with the prescription of Rule 9.1 concerning certain expressions, drawings, statements or other matter.

(b-*bis*) Where the International Bureau receives from the receiving Office, under Sections 309(c)(iv), 310(b)(iv), or 310*bis*(b)(v), corrected sheets of the request or later submitted sheets, the International Bureau shall transfer any correction to the record copy and insert any later submitted sheets in the record copy.

(c) Where the International Bureau is notified by the International Searching Authority under Rule 43.6*bis*(b) that the rectification of an obvious mistake authorized under Rule 91 has not been taken into account for the purposes of the international search, the International Bureau shall notify the applicant, the designated Offices and, where a demand has been made, the International Preliminary Examining Authority accordingly.

(d) Where the International Bureau is notified by the International Preliminary Examining Authority under Rule 70.2(e) that the rectification of an obvious mistake authorized under Rule 91 has not been taken into account for the purposes of the international preliminary examination, the International Bureau shall notify the applicant and the elected Offices accordingly.

Section 413*bis*

Rectifications of Obvious Mistakes under Rule 91

(a) Where the International Bureau authorizes a rectification under Rule 91, it shall:

(i) indelibly mark, in the upper right-hand corner of each replacement sheet, the international application number and the date on which that sheet was received;

(ii) indelibly mark, in the middle of the bottom margin of each replacement sheet, the words “RECTIFIED SHEET (RULE 91)” or their equivalent in the language of publication of the international application;

(iii) indelibly mark on the letter containing the rectification or accompanying any replacement sheet the date on which that letter was received;

(iv) keep in its files a copy of the letter containing the rectification or, when the rectification is contained in a replacement sheet, the replaced sheet, a copy of the letter accompanying the replacement sheet, and a copy of the replacement sheet.

(b) Where the International Bureau refuses to authorize a rectification under Rule 91, it shall proceed as indicated under paragraph (a)(i), (iii) and (iv).

(c) Where the International Bureau authorizes or refuses to authorize the rectification of an obvious mistake under Rule 91, it shall notify the applicant, the International Searching Authority, where a demand has been made, the International Preliminary Examining Authority, as well as the designated or elected Offices accordingly and, where the International Bureau refuses to authorize a rectification, the notification shall also include the reasons for the refusal.

Section 511 **Rectifications of Obvious Mistakes under Rule 91**

(a) Where the International Searching Authority authorizes a rectification under Rule 91, it shall:

(i) indelibly mark, in the upper right-hand corner of each replacement sheet, the international application number and the date on which that sheet was received;

(ii) indelibly mark, in the middle of the bottom margin of each replacement sheet, the words “RECTIFIED SHEET (RULE 91)” or their equivalent in the language of publication of the international application as well as an indication of the International Searching Authority as provided for in Section 107(b);

(iii) indelibly mark on the letter containing the rectification or accompanying any replacement sheet the date on which that letter was received;

(iv) keep in its files a copy of the letter containing the rectification or, when the rectification is contained in a replacement sheet, the replaced sheet, a copy of the letter accompanying the replacement sheet, and a copy of the replacement sheet;

(v) promptly transmit any letter and any replacement sheet to the International Bureau and a copy thereof to the receiving Office.

(b) Where the International Searching Authority refuses to authorize a rectification under Rule 91, it shall proceed as indicated under paragraph (a)(i), (iii) and (iv) and promptly transmit any letter and any proposed replacement sheet to the International Bureau.

Section 607 **Rectifications of Obvious Mistakes under Rule 91**

Where the International Preliminary Examining Authority authorizes a rectification of an obvious mistake under Rule 91, Section 602(a)(i) to (iii) and (b) shall apply *mutatis mutandis*, provided that, where a sheet is marked as indicated in Section 602, the words “RECTIFIED SHEET (RULE 91)” shall be used.

ANNEX D
INFORMATION FROM FRONT PAGE OF PUBLISHED INTERNATIONAL
APPLICATION TO BE INCLUDED IN THE GAZETTE UNDER RULE 86.1(i)

The following information shall be extracted from the front page of the publication of the international publication for each published international application and shall, in accordance with Rule 86.1(i), appear in the corresponding entry of the Gazette:

1. as to the international publication:
 - 1.1 the international publication number
 - 1.2 the date of the international publication
 - 1.3 an indication whether the following items were published in the published international application:
 - 1.31 international search report
 - 1.32 declaration under Article 17(2)
 - 1.33 claims amended under Article 19(1)
 - 1.34 statement under Article 19(1)
 - 1.35 *[Deleted]*
 - 1.36 request for rectification under the first sentence of Rule 91.3(d)
 - 1.37 information concerning the incorporation by reference of an element or part as referred to in Rule 48.2(b)(v)
 - 1.38 information concerning a priority claim under Rule 26bis.2(d)
 - 1.39 information concerning a request under Rule 26bis.3 for restoration of the right of priority
 - 1.40 information on copies of any declaration or other evidence furnished under Rule 26bis.3(f)

ANNEX E
INFORMATION TO BE PUBLISHED IN THE GAZETTE UNDER RULE 86.1(v)

1. The time limits applicable under Articles 22 and 39 in respect of each Contracting State.
2. The list of the non-patent literature agreed upon by the International Searching Authorities for inclusion in the minimum documentation.
3. The names of the national Offices which do not wish to receive copies under Article 13(2)(c).
4. The provisions of the national laws of Contracting States concerning international-type search.
5. The text of the agreements entered into between the International Bureau and the International Searching Authorities or the International Preliminary Examining Authorities.
6. The names of the national Offices which entirely or in part waived their rights to any communication under Article 20.
7. The names of the Contracting States which are bound by Chapter II of the PCT.

8. Index of concordance of international application numbers and international publication numbers, listed according to international application numbers.
9. Index of applicants' names giving, for each name, the corresponding international publication number(s).
10. Index of international publication numbers, grouped according to the International Patent Classification symbols.
11. Indication of any subject matter that will not be searched or examined by the various International Searching and Preliminary Examining Authorities under Rules 39 and 67.
12. Requirements of designated and elected Offices under Rules 49.5 and 76.5 in relation to the furnishing of translations.
13. The dates defining the period referred to in Rule 32.1(b) during which the international application, whose effects may be extended to a successor State under Rule 32.1, must have been filed.
14. The criteria for restoration of the right of priority applied by receiving Offices under Rule 26*bis*.3 or designated Offices under Rule 49*ter*.2, and any subsequent changes in that respect.

FEES PAYABLE UNDER THE PCT

CZ Czech Republic

The **Industrial Property Office (Czech Republic)** has notified a change in the currency of payment of the international filing fee, as well as of the reduction available under item 3(a) of the Schedule of Fees where the PCT-SAFE software (operating in “PCT-EASY mode”) is used. The consolidated list of currencies accepted by, and of all amounts of fees payable to, the Office as receiving Office, and applicable since 1 February 2007 is as follows:

| | |
|---|---|
| Fees payable to the receiving Office: | Currency: Czech koruna (CZK) and euro (EUR) |
| Transmittal fee: | CZK 1,500 |
| International filing fee: | EUR 900 |
| Fee per sheet in excess of 30: | EUR 10 |
| Additional component: | [No change] |
| Reductions (under Schedule of Fees, item 3): | |
| PCT-EASY: | EUR 64 |
| Search fee: | See Annex D(EP) |
| Fee for priority document (PCT Rule 17.1(b)): | CZK 600 |

[Updating of Annex C(CZ) of the *PCT Applicant’s Guide*]

ZA South Africa

New equivalent amounts in **South African rand (ZAR)** have been established for the international filing fee, pursuant to PCT Rule 15.2(d), as well as for the reduction under item 3(a) of the Schedule of Fees where the PCT-SAFE software (operating in “PCT-EASY mode”) is used. These amounts, applicable from 1 May 2007, are as follows:

| | |
|--|-----------|
| International filing fee: | ZAR 8,230 |
| Reductions (under Schedule of Fees, item 3): | |
| PCT-EASY: | ZAR 590 |

[Updating of Annex C(ZA) of the *PCT Applicant’s Guide*]

FILING OF PCT-EASY REQUESTS TOGETHER WITH PCT-EASY PHYSICAL MEDIA: NOTIFICATION BY RECEIVING OFFICES

IL Israel

In accordance with Section 102*bis*(b) of the Administrative Instructions under the PCT, the **Israel Patent Office** as receiving Office has notified that it is prepared to receive, since 1 February 2007, any international application filed under Section 102*bis*(a) with a PCT-EASY request and one of the following PCT-EASY physical media: 3.5 inch diskette, CD-R or CD-ROM.

[Updating of Annex C(IL) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

22 February 2007

Notices and Information of a General Character

| | Page |
|--|------|
| Fees Payable under the PCT | |
| AP African Regional Intellectual Property Organization (ARIPO) | 36 |
| JP Japan | 36 |
| JP/IB Japan/ International Bureau | 36 |
| NZ New Zealand | 37 |
| Receiving Offices | |
| BZ Belize | 37 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

FEES PAYABLE UNDER THE PCT

AP African Regional Intellectual Property Organization (ARIPO)

The **African Regional Intellectual Property Organization (ARIPO)** has notified new amounts of fees in **US dollars (USD)**, payable to it as designated (or elected) Office. These amounts, applicable from 1 April 2007, are as follows:

National fee:

For patent:

| | | |
|---------------------------------|-------------|----------------|
| Filing fee: | USD | 250 |
| Designation fee: | USD | 75 per country |
| Annual fee for the first year: | [No change] | |
| Annual fee for the second year: | USD | 60 |
| Annual fee for the third year: | USD | 80 |

For utility model: [No change]

[Updating of the National Chapter (AP) of the *PCT Applicant's Guide*]

JP Japan

The Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee in **US dollars (USD)**, payable for an international search carried out by the **Japan Patent Office** for the purposes of certain receiving Offices which have specified the US dollar (USD) as a currency of payment or use the US dollar (USD) as a basis for calculating the equivalent amount in the national currency. This amount, applicable as from 1 May 2007, is as follows:

Search fee (PCT Rule 16): USD 797

[Updating of Annex D(JP) of the *PCT Applicant's Guide*]

JP Japan

IB International Bureau

For the purposes of the payment of fees to the **International Bureau** as receiving Office, a new equivalent amount in **euro (EUR)** of the search fee, payable in respect of an international search carried out by the **Japan Patent Office**, has been established. This amount, applicable as from 1 May 2007, is as follows:

Search fee (PCT Rule 16): EUR 616

[Updating of Annex D(JP) of the *PCT Applicant's Guide*]

NZ New Zealand

New equivalent amounts in **New Zealand dollars (NZD)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for the reduction under item 3(a) of the Schedule of Fees where the PCT-SAFE software (operating in “PCT-EASY mode”) is used. These amounts, applicable as from 1 May 2007, are as follows:

| | |
|--|-----------|
| International filing fee: | NZD 1,613 |
| Fee per sheet in excess of 30: | NZD 17 |
| Reductions (under Schedule of Fees, item 3): | |
| PCT-EASY: | NZD 115 |

[Updating of Annex C(NZ) of the *PCT Applicant's Guide*]

RECEIVING OFFICES

BZ Belize

The **Belize Intellectual Property Office** has specified the Canadian Intellectual Property Office as a competent International Searching Authority and International Preliminary Examining Authority for international applications filed on or after 1 March 2007 by nationals and residents of Belize with the Belize Intellectual Property Office as receiving Office. The consolidated list of competent International Searching Authorities and International Preliminary Examining Authorities now reads as follows:

| | |
|--|---|
| Competent International Searching Authority: | Canadian Intellectual Property Office, European Patent Office |
| Competent International Preliminary Examining Authority: | Canadian Intellectual Property Office, European Patent Office |

[Updating of Annex C(BZ) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

1 March 2007

Notices and Information of a General Character

| | Page |
|---|------|
| Fees Payable under the PCT | |
| AU Australia | 39 |
| EA Eurasian Patent Organization (EAPO) | 39 |
| Information on Contracting States | |
| NZ New Zealand | 40 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

FEES PAYABLE UNDER THE PCT

AU Australia

Further to the announcement published in Official Notices of 1 February 2007, page 16, notifying a new amount of the search fee for a search carried out by the **Australian Patent Office**, and pursuant to PCT Rule 16.1(b), new equivalent amounts of the search fee have been established in **Swiss francs (CHF)**, **euro (EUR)**, **Korean won (KRW)**, **New Zealand dollars (NZD)**, **Singapore dollars (SGD)**, **US dollars (USD)** and **South African rand (ZAR)**. These amounts, applicable from 1 March 2007, are as follows:

| | | |
|---------------------------|-----|-----------|
| Search fee (PCT Rule 16): | CHF | 1,553 |
| | EUR | 962 |
| | KRW | 1,173,000 |
| | NZD | 1,794 |
| | SGD | 1,943 |
| | USD | 1,266 |
| | ZAR | 8,854 |

[Updating of Annex D(AU) of the *PCT Applicant's Guide*]

EA Eurasian Patent Organization (EAPO)

The **Eurasian Patent Office (EAPO)** has notified new amounts of fees in **Russian roubles (RUR)**, payable to it as receiving Office (transmittal fee) and as designated (or elected) Office (national fee). These amounts, applicable since 1 February 2007, are as follows:

| | | |
|--|-----|--------|
| Transmittal fee: | RUR | 1,600 |
| National fee: | | |
| Unitary procedural fee (for filing, search, publication and other processing): | RUR | 25,500 |
| Claim fee for each claim in excess of five: | RUR | 2,200 |
| Examination fee: | RUR | 25,500 |

[Updating of Annex C(EA) and of the National Chapter (EA) of the *PCT Applicant's Guide*]

INFORMATION ON CONTRACTING STATES

NZ New Zealand

The **Intellectual Property Office of New Zealand** has notified changes in its location and mailing addresses, as well as in its telephone and facsimile numbers, as follows:

Location: 205 Victoria Street, Marion Square,
Wellington 6141, New Zealand

Mailing address: P.O. Box 9241, Marion Square,
Wellington 6141, New Zealand

Telephone: 0508 447 669 (free calls)
(64-3) 962 26 07 (international calls)

Facsimile machine: (64-4) 978 36 91

[Updating of Annex B1(NZ) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

8 March 2007

Notices and Information of a General Character

| | Page |
|--|------|
| Contracting States | |
| States Party to the Patent Cooperation Treaty (PCT) | |
| DO Dominican Republic | 42 |
| Information on Contracting States and Intergovernmental Organizations | |
| MT/EP Malta/European Patent Organisation (EPO) | 42 |
| ZW Zimbabwe | 43 |
| Fees Payable under the PCT | |
| AU Australia | 43 |
| EP European Patent Organisation (EPO) | 44 |
| SG Singapore | 44 |
| Receiving Offices | |
| GT Guatemala | 44 |
| SV El Salvador | 44 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

CONTRACTING STATES

States Party to the Patent Cooperation Treaty (PCT)

DO Dominican Republic

On 28 February 2007, the **Dominican Republic** deposited its instrument of accession to the PCT and on 28 May 2007, will become bound by the PCT.

Consequently, any international application filed on or after 28 May 2007 will automatically include the designation of the Dominican Republic (country code: DO).

The Dominican Republic will be bound by Chapter II of the PCT and will automatically be elected in any demand for international preliminary examination filed in respect of an international application filed on or after 28 May 2007. Furthermore, nationals and residents of the Dominican Republic will be entitled, as from 28 May 2007, to file international applications under the PCT.

[Updating of Annex A of the *PCT Applicant's Guide*]

INFORMATION ON CONTRACTING STATES AND INTERGOVERNMENTAL ORGANIZATIONS

MT Malta

EP European Patent Organisation (EPO)

Since the publication of the deposit of Malta's instruments of accession to the PCT (see PCT Gazette No. 50/2006, of 14 December 2006, page 19170) and to the European Patent Convention (EPC) (see Official Notices (PCT Gazette) of 1 February 2007, page 16), the **Industrial Property Office (Malta)** has notified the International Bureau that it will not be possible in an international application to designate Malta for a national patent. Therefore, in international applications filed on or after 1 March 2007, Malta – like Belgium, Cyprus, France, Greece, Ireland, Italy, Monaco, the Netherlands and Slovenia – may be designated only for a European patent and not for a national patent.

[Updating of Annexes B2(EP) and C(EP) of the *PCT Applicant's Guide*]

ZW Zimbabwe

The **Zimbabwe Patent Office** has notified changes in the name of the Office, its location, its telephone numbers and its e-mail address, as follows:

| | |
|-----------------|---|
| Name of Office: | Zimbabwe Intellectual Property Office |
| Location: | Century House East, 38 N. Mandela Avenue, Harare, Zimbabwe |
| Telephone: | (263-4) 78 18 35, 77 55 44/45/46 |
| E-mail: | fparedza@yahoo.com |

[Updating of Annex B1(ZW) of the *PCT Applicant's Guide*]

FEES PAYABLE UNDER THE PCT

AU Australia

The **Australian Patent Office** has notified a change in the amount of the transmittal fee in **Australian dollars (AUD)**, payable to it as receiving Office. This amount, applicable since 1 March 2007, is as follows:

| | |
|------------------|---------|
| Transmittal fee: | AUD 150 |
|------------------|---------|

Furthermore, new equivalent amounts in Australian dollars (AUD) have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for the reductions under item 3 of the Schedule of Fees. These amounts, applicable from 15 May 2007, are as follows:

| | |
|--|-----------|
| International filing fee: | AUD 1,445 |
| Fee per sheet in excess of 30: | AUD 15 |
| Reductions (under Schedule of Fees, item 3): | |
| PCT-EASY: | AUD 103 |
| Electronic filing (the request in character coded format): | AUD 206 |
| Electronic filing (the request, description, claims and abstract in character coded format): | AUD 310 |

[Updating of Annex C(AU) of the *PCT Applicant's Guide*]

EP European Patent Organisation (EPO)

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **New Zealand dollars (NZD)** has been established for the search fee for an international search carried out by the **European Patent Office (EPO)**. This amount, applicable from 1 June 2007, is as follows:

Search fee (PCT Rule 16): NZD 3,010

[Updating of Annex D(EP) of the *PCT Applicant's Guide*]

SG Singapore

New equivalent amounts in **Singapore dollars (SGD)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for the reduction under item 3(a) of the Schedule of Fees where the PCT-SAFE software (operating in “PCT-EASY mode”) is used. These amounts, applicable from 15 May 2007, are as follows:

International filing fee: SGD 1,720

Fee per sheet in excess of 30: SGD 18

Reductions (under Schedule
of Fees, item 3):

PCT-EASY: SGD 123

[Updating of Annex C(SG) of the *PCT Applicant's Guide*]

RECEIVING OFFICES

GT Guatemala

The **Registry of Intellectual Property (Guatemala)** has specified the Spanish Patent and Trademark Office as a competent International Searching Authority and International Preliminary Examining Authority for international applications filed by nationals and residents of Guatemala with the Registry of Intellectual Property (Guatemala) as receiving Office.

SV El Salvador

The **National Center of Registries (El Salvador)** has specified the Spanish Patent and Trademark Office as a competent International Searching Authority and International Preliminary Examining Authority for international applications filed by nationals and residents of El Salvador with the National Center of Registries (El Salvador) as receiving Office.



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

22 March 2007

Notices and Information of a General Character

| | Page |
|---|------|
| Fees Payable under the PCT | |
| EP European Patent Organisation (EPO) | 46 |
| GB United Kingdom | 46 |
| Restoration of Right of Priority under PCT Rules 26bis.3 and 49ter.2 | |
| AT Austria | 47 |
| BY Belarus | 47 |
| CA Canada | 48 |
| EA Eurasian Patent Organization (EAPO) | 48 |
| EE Estonia | 49 |
| FI Finland | 49 |
| IB International Bureau | 50 |
| KG Kyrgyzstan | 50 |
| LT Lithuania | 51 |
| RU Russian Federation | 51 |
| SE Sweden | 51 |
| SK Slovakia | 52 |
| US United States of America | 52 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

FEES PAYABLE UNDER THE PCT

EP European Patent Organisation (EPO)

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **Japanese yen (JPY)** has been established for the search fee for an international search carried out by the **European Patent Office (EPO)**. This amount, applicable from 1 June 2007, is as follows:

Search fee (PCT Rule 16): JPY 255,300

[Updating of Annex D(EP) of the *PCT Applicant's Guide*]

GB United Kingdom

New equivalent amounts in **pounds sterling (GBP)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for reductions under item 3 of the Schedule of Fees. These amounts, applicable from 1 June 2007, are as follows:

International filing fee: GBP 574

Fee per sheet in excess of 30: GBP 6

Reductions (under Schedule of Fees, item 3):

PCT-EASY: GBP 41

Electronic filing (the request in character coded format): GBP 82

Electronic filing (the request, description, claims and abstract in character coded format): GBP 123

[Updating of Annex C(GB) of the *PCT Applicant's Guide*]

RESTORATION OF RIGHT OF PRIORITY UNDER PCT RULES 26bis.3 AND 49ter.2

AT Austria

New PCT Rules 26bis.3 and 49ter.2 will enter into force on 1 April 2007. Under Rules 26bis.3(i) and 49ter.2(g), the **Austrian Patent Office**, in its capacities as receiving Office and as designated (or elected) Office, has informed the International Bureau of the criteria for restoration of the right of priority to be applied by it, as follows:

| | |
|--|---|
| Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)? | Yes, the Office applies both the “unintentionality” and the “due care” criteria to such requests. |
| Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)? | Yes, the Office applies both the “unintentionality” and the “due care” criteria to such requests. |

Furthermore, under Rules 26bis.3(d) and 49ter.2(d), the Office has notified fees for requesting restoration of the right of priority in **euro (EUR)**, payable to it as receiving Office and as designated (or elected) Office, respectively, as follows:

| | |
|---|---------|
| Fee for requesting restoration of the right of priority applying both the “unintentionality” and the “due care” criteria (PCT Rule 26bis.3(d)): | EUR 220 |
| Fee for requesting restoration of the right of priority applying both the “unintentionality” and the “due care” criteria (PCT Rule 49ter.2(d)): | EUR 220 |

[Updating of Annex C(AT) and of the National Chapter (AT) of the *PCT Applicant’s Guide*]

BY Belarus

New PCT Rules 26bis.3 and 49ter.2 will enter into force on 1 April 2007. Under Rules 26bis.3(i) and 49ter.2(g), the **National Center of Intellectual Property (Belarus)**, in its capacities as receiving Office and as designated (or elected) Office, has informed the International Bureau of the criterion for restoration of the right of priority to be applied by it, as follows:

| | |
|--|--|
| Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)? | Yes, the Office applies the “unintentionality” criterion to such requests. |
| Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)? | Yes, the Office applies the “unintentionality” criterion to such requests. |

[Updating of Annex C(BY) and of the National Chapter (BY) of the *PCT Applicant’s Guide*]

CA Canada

New PCT Rule 26bis.3 will enter into force on 1 April 2007. Under Rule 26bis.3(i), the **Canadian Intellectual Property Office**, in its capacity as receiving Office, has informed the International Bureau of the criteria for restoration of the right of priority to be applied by it, as follows:

| | |
|--|---|
| Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)? | Yes, the Office applies both the “unintentionality” and the “due care” criteria to such requests. |
|--|---|

[Updating of Annex C(CA) of the *PCT Applicant’s Guide*]

EA Eurasian Patent Organization (EAPO)

New PCT Rules 26bis.3 and 49ter.2 will enter into force on 1 April 2007. Under Rules 26bis.3(i) and 49ter.2(g), the **Eurasian Patent Office (EAPO)**, in its capacities as receiving Office and as designated (or elected) Office, has informed the International Bureau of the criteria for restoration of the right of priority to be applied by it, as follows:

| | |
|--|---|
| Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)? | Yes, the Office applies both the “unintentionality” and the “due care” criteria to such requests. |
|--|---|

| | |
|--|--|
| Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)? | Yes, the Office applies the “unintentionality” criterion to such requests. |
|--|--|

Furthermore, under Rule 49ter.2(d), the Office has notified a fee for requesting restoration of the right of priority in **Russian roubles (RUR)**, payable to it as designated (or elected) Office, as follows:

| | |
|--|------------|
| Fee for requesting restoration of the right of priority applying the “unintentionality” criterion (PCT Rule 49ter.2(d)): | RUR 16,000 |
|--|------------|

[Updating of Annex C(EA) and of the National Chapter (EA) of the *PCT Applicant’s Guide*]

EE Estonia

New PCT Rules 26bis.3 and 49ter.2 will enter into force on 1 April 2007. Under Rules 26bis.3(i) and 49ter.2(g), the **Estonian Patent Office**, in its capacities as receiving Office and as designated (or elected) Office, has informed the International Bureau of the criterion for restoration of the right of priority to be applied by it, as follows:

| | |
|--|--|
| Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)? | Yes, the Office applies the “unintentionality” criterion to such requests. |
| Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)? | Yes, the Office applies the “unintentionality” criterion to such requests. |

[Updating of Annex C(EE) and of the National Chapter (EE) of the *PCT Applicant’s Guide*]

FI Finland

New PCT Rules 26bis.3 and 49ter.2 will enter into force on 1 April 2007. Under Rules 26bis.3(i) and 49ter.2(g), the **National Board of Patents and Registration of Finland**, in its capacities as receiving Office and as designated (or elected) Office, has informed the International Bureau of the criterion for restoration of the right of priority to be applied by it, as follows:

| | |
|--|--|
| Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)? | Yes, the Office applies the “due care” criterion to such requests. |
| Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)? | Yes, the Office applies the “due care” criterion to such requests. |

Furthermore, under Rule 49ter.2(d), the Office has notified a fee for requesting restoration of the right of priority in **euro (EUR)**, payable to it as designated (or elected) Office, as follows:

| | |
|--|---------|
| Fee for requesting restoration of the right of priority applying the “due care” criterion (PCT Rule 49ter.2(d)): | EUR 250 |
|--|---------|

[Updating of Annex C(FI) and of the National Chapter (FI) of the *PCT Applicant’s Guide*]

IB International Bureau

New PCT Rule 26bis.3 will enter into force on 1 April 2007. Under Rule 26bis.3(i), the **International Bureau**, in its capacity as receiving Office, will apply both criteria for restoration of the right of priority, as follows:

| | |
|--|---|
| Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)? | Yes, the Office applies both the “unintentionality” and the “due care” criteria to such requests. |
|--|---|

[Updating of Annex C(IB) of the *PCT Applicant’s Guide*]

KG Kyrgyzstan

New PCT Rules 26bis.3 and 49ter.2 will enter into force on 1 April 2007. Under Rules 26bis.3(i) and 49ter.2(g), the **Kyrgyz Intellectual Property Office**, in its capacities as receiving Office and as designated (or elected) Office, has informed the International Bureau of the criteria for restoration of the right of priority to be applied by it, as follows:

| | |
|--|---|
| Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)? | Yes, the Office applies both the “unintentionality” and the “due care” criteria to such requests. |
|--|---|

| | |
|--|---|
| Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)? | Yes, the Office applies both the “unintentionality” and the “due care” criteria to such requests. |
|--|---|

Furthermore, under Rules 26bis.3(d) and 49ter.2(d), the Office has notified fees for requesting restoration of the right of priority in **US dollars (USD)**, payable to it as receiving Office and as designated (or elected) Office, respectively, as follows:

| | |
|---|---------|
| Fee for requesting restoration of the right of priority applying both the “unintentionality” and the “due care” criteria (PCT Rule 26bis.3(d)): | USD 100 |
|---|---------|

| | |
|---|---------|
| Fee for requesting restoration of the right of priority applying both the “unintentionality” and the “due care” criteria (PCT Rule 49ter.2(d)): | USD 100 |
|---|---------|

[Updating of Annex C(KG) and of the National Chapter (KG) of the *PCT Applicant’s Guide*]

LT Lithuania

New PCT Rule 26bis.3 will enter into force on 1 April 2007. Under Rule 26bis.3(i), the **State Patent Bureau of the Republic of Lithuania**, in its capacity as receiving Office, has informed the International Bureau of the criterion for restoration of the right of priority to be applied by it, as follows:

| | |
|--|--|
| Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)? | Yes, the Office applies the “due care” criterion to such requests. |
|--|--|

[Updating of Annex C(LT) of the *PCT Applicant’s Guide*]

RU Russian Federation

New PCT Rules 26bis.3 and 49ter.2 will enter into force on 1 April 2007. Under Rules 26bis.3(i) and 49ter.2(g), the **Federal Service for Intellectual Property, Patents and Trademarks (Russian Federation)**, in its capacities as receiving Office and as designated (or elected) Office, has informed the International Bureau of the criterion for restoration of the right of priority to be applied by it, as follows:

| | |
|--|--|
| Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)? | Yes, the Office applies the “due care” criterion to such requests. |
|--|--|

| | |
|--|--|
| Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)? | Yes, the Office applies the “due care” criterion to such requests. |
|--|--|

[Updating of Annex C(RU) and of the National Chapter (RU) of the *PCT Applicant’s Guide*]

SE Sweden

New PCT Rule 26bis.3 will enter into force on 1 April 2007. Under Rule 26bis.3(i), the **Swedish Patent and Registration Office**, in its capacity as receiving Office, has informed the International Bureau of the criterion for restoration of the right of priority to be applied by it, as follows:

| | |
|--|--|
| Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)? | Yes, the Office applies the “due care” criterion to such requests. |
|--|--|

[Updating of Annex C(SE) of the *PCT Applicant’s Guide*]

SK Slovakia

New PCT Rules 26bis.3 and 49ter.2 will enter into force on 1 April 2007. Under Rules 26bis.3(i) and 49ter.2(g), the **Industrial Property Office (Slovakia)**, in its capacities as receiving Office and as designated (or elected) Office, has informed the International Bureau of the criterion for restoration of the right of priority to be applied by it, as follows:

| | |
|--|--|
| Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)? | Yes, the Office applies the “due care” criterion to such requests. |
|--|--|

| | |
|--|--|
| Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)? | Yes, the Office applies the “due care” criterion to such requests. |
|--|--|

Furthermore, under Rules 26bis.3(d) and 49ter.2(d), the Office has notified fees for requesting restoration of the right of priority in **Slovak koruny (SKK)**, payable to it as receiving Office and as designated (or elected) Office, respectively, as follows:

| | |
|--|-----------|
| Fee for requesting restoration of the right of priority applying the “due care” criterion (PCT Rule 26bis.3(d)): | SKK 2,000 |
|--|-----------|

| | |
|--|-----------|
| Fee for requesting restoration of the right of priority applying the “due care” criterion (PCT Rule 49ter.2(d)): | SKK 2,000 |
|--|-----------|

[Updating of Annex C(SK) and of the National Chapter (SK) of the *PCT Applicant’s Guide*]

US United States of America

New PCT Rule 26bis.3 will enter into force on 1 April 2007. Under Rule 26bis.3(i), the **United States Patent and Trademark Office (USPTO)**, in its capacity as receiving Office, has informed the International Bureau of the criterion for restoration of the right of priority to be applied by it, as follows:

| | |
|--|--|
| Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)? | Yes, the Office applies the “unintentionality” criterion to such requests. |
|--|--|

Furthermore, under Rule 26bis.3(d), the Office has notified a fee for requesting restoration of the right of priority in **US dollars (USD)**, payable to it as receiving Office, as follows:

| | |
|--|---------|
| Fee for requesting restoration of the right of priority applying the “unintentionality” criterion (PCT Rule 26bis.3(d)): | USD 400 |
|--|---------|

[Updating of Annex C(US) of the *PCT Applicant’s Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

29 March 2007

Notices and Information of a General Character

| | Page |
|--|------|
| Administrative Instructions under the PCT: Modifications to Appendix I of Annex F | |
| Note Prepared by the International Bureau | 54 |
| Restoration of Right of Priority under PCT Rules 26bis.3 and 49ter.2 | |
| AM Armenia | 54 |
| AU Australia | 54 |
| EG Egypt | 55 |
| GB United Kingdom | 56 |
| HR Croatia | 56 |
| IL Israel | 57 |
| MK The former Yugoslav Republic of Macedonia | 57 |
| MY Malaysia | 58 |
| SI Slovenia | 58 |
| UA Ukraine | 59 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

**ADMINISTRATIVE INSTRUCTIONS UNDER THE PCT:
MODIFICATIONS TO APPENDIX I OF ANNEX F**

NOTE PREPARED BY THE INTERNATIONAL BUREAU

After consultation with the interested Offices and Authorities pursuant to PCT Rule 89.2(a), and as a result of the change procedure provided for in section 2.5.5 of Annex F of the Administrative Instructions under the PCT (expedited consideration of change proposals), modifications of Appendix I of Annex F are promulgated with effect from 1 April 2007.

The text of Appendix I of Annex F as modified is not, due to its highly technical content, reproduced here but has been published, as document PCT/AI/DTD/4, dated 23 March 2007, on WIPO's website (see www.wipo.int/pct/en/texts/index.htm).

RESTORATION OF RIGHT OF PRIORITY UNDER PCT RULES 26bis.3 AND 49ter.2

AM Armenia

New PCT Rules 26bis.3 and 49ter.2 will enter into force on 1 April 2007. Under Rules 26bis.3(i) and 49ter.2(g), the **Intellectual Property Agency of the Republic of Armenia**, in its capacities as receiving Office and as designated (or elected) Office, has informed the International Bureau of the criterion for restoration of the right of priority to be applied by it, as follows:

Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)?

Yes, the Office applies the "due care" criterion to such requests.

Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)?

Yes, the Office applies the "due care" criterion to such requests.

[Updating of Annex C(AM) and of the National Chapter (AM) of the *PCT Applicant's Guide*]

AU Australia

New PCT Rules 26bis.3 and 49ter.2 will enter into force on 1 April 2007. Under Rules 26bis.3(i) and 49ter.2(g), the **Australian Patent Office**, in its capacities as receiving Office and as designated (or elected) Office, has informed the International Bureau of the criteria for restoration of the right of priority to be applied by it, as follows:

Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)?

Yes, the Office applies both the “unintentionality” and the “due care” criteria to such requests.

Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)?

Yes, the Office applies the requirements under the applicable national law to such requests.

Furthermore, the Office has notified fees for requesting restoration of the right of priority in **Australian dollars (AUD)**, payable to it as receiving Office, under Rule 26bis.3(d), and as designated (or elected) Office, respectively, as follows:

Fee for requesting restoration of the right of priority applying both the “unintentionality” and the “due care” criteria (PCT Rule 26bis.3(d)):

AUD 200

Fee for requesting restoration of the right of priority applying the requirements under the applicable national law:

AUD 100 for a request on the basis of circumstances beyond the control of the person, regardless of the length of extension sought

AUD 100 for a request on other grounds, for each month or part of a month for which the extension is sought

[Updating of Annex C(AU) and of the National Chapter (AU) of the *PCT Applicant’s Guide*]

EG Egypt

New PCT Rules 26bis.3 and 49ter.2 will enter into force on 1 April 2007. Under Rules 26bis.3(i) and 49ter.2(g), the **Egyptian Patent Office**, in its capacities as receiving Office and as designated (or elected) Office, has informed the International Bureau of the criterion for restoration of the right of priority to be applied by it, as follows:

Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)?

Yes, the Office applies the “due care” criterion to such requests.

Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)?

Yes, the Office applies the “due care” criterion to such requests.

Furthermore, under Rules 26bis.3(d) and 49ter.2(d), the Office has notified fees for requesting restoration of the right of priority in **Egyptian pounds (EGP)**, payable to it as receiving Office and as designated (or elected) Office, respectively, as follows:

| | | |
|--|-----------|--|
| Fee for requesting restoration of the right of priority applying the “due care” criterion (PCT Rule 26bis.3(d)): | EGP 800 | for individuals |
| | EGP 1,500 | for companies employing more than 10 persons |
| | EGP 1,000 | for companies employing less than 10 persons |
| | EGP 800 | for research institutions |
| Fee for requesting restoration of the right of priority applying the “due care” criterion (PCT Rule 49ter.2(d)): | EGP 800 | for individuals |
| | EGP 1,500 | for companies employing more than 10 persons |
| | EGP 1,000 | for companies employing less than 10 persons |
| | EGP 800 | for research institutions |

[Updating of Annex C(EG) and of the National Chapter (EG) of the *PCT Applicant’s Guide*]

GB United Kingdom

New PCT Rules 26bis.3 and 49ter.2 will enter into force on 1 April 2007. Under Rules 26bis.3(i) and 49ter.2(g), the **Patent Office (United Kingdom)**, in its capacities as receiving Office and as designated (or elected) Office, has informed the International Bureau of the criterion for restoration of the right of priority to be applied by it, as follows:

| | |
|--|--|
| Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)? | Yes, the Office applies the “unintentionality” criterion to such requests. |
| Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)? | Yes, the Office applies the “unintentionality” criterion to such requests. |

Furthermore, under Rule 49ter.2(d), the Office has notified a fee for requesting restoration of the right of priority in **pounds sterling (GBP)**, payable to it as designated (or elected) Office, as follows:

| | |
|--|---------|
| Fee for requesting restoration of the right of priority applying the “unintentionality” criterion (PCT Rule 49ter.2(d)): | GBP 150 |
|--|---------|

[Updating of Annex C(GB) and of the National Chapter (GB) of the *PCT Applicant’s Guide*]

HR Croatia

New PCT Rules 26bis.3 and 49ter.2 will enter into force on 1 April 2007. Under Rules 26bis.3(i) and 49ter.2(g), the **Croatian Intellectual Property Office**, in its capacities as receiving Office and as designated (or elected) Office, has informed the International Bureau of the criterion for restoration of the right of priority to be applied by it, as follows:

Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)?

Yes, the Office applies the “due care” criterion to such requests.

Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)?

Yes, the Office applies the “due care” criterion to such requests.

Furthermore, under Rules 26bis.3(d) and 49ter.2(d), the Office has notified fees for requesting restoration of the right of priority in **Croatian kunas (HRK)**, payable to it as receiving Office and as designated (or elected) Office, respectively, as follows:

Fee for requesting restoration of the right of priority applying the “due care” criterion (PCT Rule 26bis.3(d)): HRK 150

Fee for requesting restoration of the right of priority applying the “due care” criterion (PCT Rule 49ter.2(d)): HRK 150

[Updating of Annex C(HR) and of the National Chapter (HR) of the *PCT Applicant’s Guide*]

IL Israel

New PCT Rules 26bis.3 and 49ter.2 will enter into force on 1 April 2007. Under Rules 26bis.3(i) and 49ter.2(g), the **Israel Patent Office**, in its capacities as receiving Office and as designated (or elected) Office, has informed the International Bureau of the criterion for restoration of the right of priority to be applied by it, as follows:

Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)?

Yes, the Office applies the “due care” criterion to such requests.

Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)?

Yes, the Office applies the “due care” criterion to such requests.

[Updating of Annex C(IL) and of the National Chapter (IL) of the *PCT Applicant’s Guide*]

MK The former Yugoslav Republic of Macedonia

New PCT Rules 26bis.3 and 49ter.2 will enter into force on 1 April 2007. Under Rules 26bis.3(i) and 49ter.2(g), the **State Office of Industrial Property (the former Yugoslav Republic of Macedonia)**, in its capacities as receiving Office and as designated (or elected) Office, has informed the International Bureau of the criterion for restoration of the right of priority to be applied by it, as follows:

Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)?

Yes, the Office applies the “due care” criterion to such requests.

Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)?

Yes, the Office applies the “due care” criterion to such requests.

Furthermore, under Rules 26bis.3(d) and 49ter.2(d), the Office has notified fees for requesting restoration of the right of priority in **Macedonian denars (MKD)**, payable to it as receiving Office and as designated (or elected) Office, respectively, as follows:

Fee for requesting restoration of the right of priority applying the “due care” criterion (PCT Rule 26bis.3(d)): MKD 1,000

Fee for requesting restoration of the right of priority applying the “due care” criterion (PCT Rule 49ter.2(d)): MKD 1,000

[Updating of Annex C(MK) and of the National Chapter (MK) of the *PCT Applicant’s Guide*]

MY Malaysia

New PCT Rules 26bis.3 and 49ter.2 will enter into force on 1 April 2007. Under Rules 26bis.3(i) and 49ter.2(g), the **Intellectual Property Corporation of Malaysia**, in its capacities as receiving Office and as designated (or elected) Office, has informed the International Bureau of the criterion for restoration of the right of priority to be applied by it, as follows:

Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)?

Yes, the Office applies the “unintentionality” criterion to such requests.

Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)?

Yes, the Office applies the “unintentionality” criterion to such requests.

[Updating of Annex C(MY) and of the National Chapter (MY) of the *PCT Applicant’s Guide*]

SI Slovenia

New PCT Rule 26bis.3 will enter into force on 1 April 2007. Under Rule 26bis.3(i), the **Slovenian Intellectual Property Office**, in its capacity as receiving Office, has informed the International Bureau of the criterion for restoration of the right of priority to be applied by it, as follows:

| | |
|--|--|
| Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)? | Yes, the Office applies the “due care” criterion to such requests. |
|--|--|

Furthermore, under Rule 26bis.3(d), the Office has notified a fee for requesting restoration of the right of priority in **euro (EUR)**, payable to it as receiving Office, as follows:

| | |
|--|--------|
| Fee for requesting restoration of the right of priority applying the “due care” criterion (PCT Rule 26bis.3(d)): | EUR 42 |
|--|--------|

[Updating of Annex C(SI) of the *PCT Applicant’s Guide*]

UA Ukraine

New PCT Rules 26bis.3 and 49ter.2 will enter into force on 1 April 2007. Under Rules 26bis.3(i) and 49ter.2(g), the **State Department of Intellectual Property (SDIP), Ministry of Education and Science of Ukraine**, in its capacities as receiving Office and as designated (or elected) Office, has informed the International Bureau of the criterion for restoration of the right of priority to be applied by it, as follows:

| | |
|--|--|
| Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)? | Yes, the Office applies the “unintentionality” criterion to such requests. |
|--|--|

| | |
|--|--|
| Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)? | Yes, the Office applies the “unintentionality” criterion to such requests. |
|--|--|

Furthermore, under Rules 26bis.3(d) and 49ter.2(d), the Office has notified fees for requesting restoration of the right of priority in **Ukrainian hryvnias (UAH), euro (EUR) or US dollars (USD)**, payable to it as receiving Office and as designated (or elected) Office, respectively, as follows:

| | |
|--|---|
| Fee for requesting restoration of the right of priority applying the “unintentionality” criterion (PCT Rule 26bis.3(d)): | UAH 10 (or equivalent amount in EUR or USD) for residents of States whose per capita national income is below USD 3,000 |
| | EUR 50 (or equivalent amount in UAH or USD) for residents of States whose per capita national income is above USD 3,000 |

| | |
|--|---|
| Fee for requesting restoration of the right of priority applying the “unintentionality” criterion (PCT Rule 49ter.2(d)): | UAH 10 (or equivalent amount in EUR or USD) for residents of States whose per capita national income is below USD 3,000 |
| | EUR 50 (or equivalent amount in UAH or USD) for residents of States whose per capita national income is above USD 3,000 |

[Updating of Annex C(UA) and of the National Chapter (UA) of the *PCT Applicant’s Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

5 April 2007

Notices and Information of a General Character

| | Page |
|--|------|
| Information on Contracting States and Intergovernmental Organizations | |
| LV/EP Latvia/European Patent Organisation (EPO) | 61 |
| Fees Payable under the PCT | |
| IL Israel | 61 |
| Restoration of Right of Priority under PCT Rules 26bis.3 and 49ter.2 | |
| DK Denmark | 61 |
| PL Poland | 62 |
| RS Serbia | 62 |
| Information on Contracting States Receiving Offices | |
| LY Libyan Arab Jamahiriya | 63 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

INFORMATION ON CONTRACTING STATES AND INTERGOVERNMENTAL ORGANIZATIONS

LV Latvia

EP European Patent Organisation (EPO)

The **Latvian Patent Office** has notified the International Bureau that it is no longer possible in an international application to designate Latvia for a national patent since 1 March 2007. Therefore, in international applications filed on or after 1 March 2007, Latvia – like Belgium, Cyprus, France, Greece, Ireland, Italy, Malta, Monaco, the Netherlands and Slovenia – may be designated only for a European patent and not for a national patent.

[Updating of Annex B1(LV) and of the National Chapter (LV) of the *PCT Applicant's Guide*]

FEES PAYABLE UNDER THE PCT

IL Israel

The **Israel Patent Office** has notified a change in the amount of the fee for priority document in **new Israel shekels (ILS)**, payable to it as receiving Office. This amount, applicable since 1 April 2007, is as follows:

| | |
|--|--------|
| Fee for priority document (PCT Rule 17.1(b)): | ILS 78 |
|--|--------|

[Updating of Annex C(IL) of the *PCT Applicant's Guide*]

RESTORATION OF RIGHT OF PRIORITY UNDER PCT RULES 26bis.3 AND 49ter.2

DK Denmark

New PCT Rules 26bis.3 and 49ter.2 entered into force on 1 April 2007. Under Rules 26bis.3(i) and 49ter.2(g), the **Danish Patent and Trademark Office**, in its capacities as receiving Office and as designated (or elected) Office, has informed the International Bureau of the criterion for restoration of the right of priority applied by it, as follows:

| | |
|--|--|
| Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)? | Yes, the Office applies the “due care” criterion to such requests. |
| Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)? | Yes, the Office applies the “due care” criterion to such requests. |

Furthermore, under Rules 26bis.3(d) and 49ter.2(d), the Office has notified fees for requesting restoration of the right of priority in **Danish kroner (DKK)**, payable to it as receiving Office and as designated (or elected) Office, respectively, as follows:

Fee for requesting restoration of the right of priority applying the “due care” criterion (PCT Rule 26bis.3(d)): DKK 3,000

Fee for requesting restoration of the right of priority applying the “due care” criterion (PCT Rule 49ter.2(d)): DKK 3,000

[Updating of Annex C(DK) and of the National Chapter (DK) of the *PCT Applicant’s Guide*]

PL Poland

New PCT Rules 26bis.3 and 49ter.2 entered into force on 1 April 2007. Under Rules 26bis.3(i) and 49ter.2(g), the **Patent Office of the Republic of Poland**, in its capacities as receiving Office and as designated (or elected) Office, has informed the International Bureau of the criterion for restoration of the right of priority applied by it, as follows:

| | |
|--|--|
| Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)? | Yes, the Office applies the “due care” criterion to such requests. |
|--|--|

| | |
|--|--|
| Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)? | Yes, the Office applies the “due care” criterion to such requests. |
|--|--|

Furthermore, under Rules 26bis.3(d) and 49ter.2(d), the Office has notified fees for requesting restoration of the right of priority in **Polish zlotys (PLZ)**, payable to it as receiving Office and as designated (or elected) Office, respectively, as follows:

Fee for requesting restoration of the right of priority applying the “due care” criterion (PCT Rule 26bis.3(d)): PLZ 70

Fee for requesting restoration of the right of priority applying the “due care” criterion (PCT Rule 49ter.2(d)): PLZ 70

[Updating of Annex C(PL) and of the National Chapter (PL) of the *PCT Applicant’s Guide*]

RS Serbia

New PCT Rules 26bis.3 and 49ter.2 entered into force on 1 April 2007. Under Rules 26bis.3(i) and 49ter.2(g), the **Intellectual Property Office (Serbia)**, in its capacities as receiving Office and as designated (or elected) Office, has informed the International Bureau of the criterion for restoration of the right of priority applied by it, as follows:

Does the Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)?

Yes, the Office applies the “due care” criterion to such requests.

Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)?

Yes, the Office applies the “due care” criterion to such requests.

Furthermore, under Rules 26bis.3(d) and 49ter.2(d), the Office has notified fees for requesting restoration of the right of priority in **Serbian dinars (RSD)**, payable to it as receiving Office and as designated (or elected) Office, respectively, as follows:

Fee for requesting restoration of the right of priority applying the “due care” criterion (PCT Rule 26bis.3(d)): RSD 900

Fee for requesting restoration of the right of priority applying the “due care” criterion (PCT Rule 49ter.2(d)): RSD 900

[Updating of Annex C(RS) and of the National Chapter (RS) of the *PCT Applicant's Guide*]

INFORMATION ON CONTRACTING STATES RECEIVING OFFICES

LY Libyan Arab Jamahiriya

General information on the **Libyan Arab Jamahiriya** as a Contracting State, as well as information on the requirements of the **Libyan Industrial Property Office** as receiving Office, is given in Annexes B1(LY) and C(LY), which are published on the following pages.

B1

Information on Contracting States

B1

LY

LIBYAN ARAB JAMAHIRIYA

LY

General information

| | |
|---|---|
| Name of Office: | Libyan Industrial Property Office |
| Location and mailing address: | Industrial Research Center, Tajoura, P.O. Box 3633, Tripoli, Libya |
| Telephone: | (218) 21 369 15 12, 369 15 18 |
| Facsimile machine: | (218) 21 369 00 28 |
| E-mail: | lipo@irc.org.ly |
| Internet: | www.irc.org.ly |
| Does the Office accept the filing of documents by means of telecommunication (PCT Rule 92.4)? | No |
| Would the Office accept evidence of mailing a document, in case of loss or delay, where a delivery service other than the postal authorities is used (PCT Rule 82.1)? | No |
| Competent receiving Office for nationals and residents of Libya: | Libyan Industrial Property Office or International Bureau of WIPO, at the choice of the applicant (see Annex C) |
| Competent designated (or elected) Office if Libya is designated (or elected): | Libyan Industrial Property Office (see Volume II) |
| May Libya be elected? | Yes (bound by Chapter II of the PCT) |
| Types of protection available via the PCT: | Patents, patents of addition |
| Provisions of the law of Libya concerning international-type search: | None |
| Provisional protection after international publication: | None |

Information of interest if Libya is designated (or elected)

| | |
|--|---|
| Time when the name and address of the inventor must be given if Libya is designated (or elected): | May be in the request or may be furnished later. If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit of two months from the date of receipt of the invitation. |
| Are there special provisions concerning the deposit of microorganisms and other biological material? | No |

C **Receiving Offices** **C**
LY **LIBYAN INDUSTRIAL PROPERTY OFFICE** **LY**

| | |
|--|---|
| Competent receiving Office for nationals and residents of: | Libyan Arab Jamahiriya |
| Language in which international applications may be filed: | Arabic or English ¹ |
| Language in which the request may be filed: | Arabic or English |
| Number of copies required by the receiving Office: | 3 |
| Does the receiving Office accept the filing of international applications with requests in PCT-EASY format? ² | Yes |
| Competent International Searching Authority: | Austrian Patent Office or European Patent Office |
| Competent International Preliminary Examining Authority: | Austrian Patent Office or European Patent Office |
| Fees payable to the receiving Office: | Currency: Libyan dinar (LYD) and Swiss franc (CHF) |
| Transmittal fee: | LYD ... ³ |
| International filing fee: | CHF 1,400 |
| Fee per sheet in excess of 30: | CHF 15 |
| Reductions (under Schedule of Fees, item 3): | |
| PCT-EASY: ² | CHF 100 |
| Search fee: | See Annex D(AT) or (EP) |
| Fee for priority document (PCT Rule 17.1(b)): | None |
| Is an agent required by the receiving Office? | No, if the applicant resides in Libya Yes, if he is a non-resident |
| Who can act as agent? | Any patent attorney or patent agent registered before the Office |
| Waiver of power of attorney: | |
| Has the Office waived the requirement that a separate power of attorney be submitted? | No |
| Has the Office waived the requirement that a copy of a general power of attorney be submitted? | No |

¹ If the language in which the international application is filed is not accepted by the International Searching Authority (see Annex D), the applicant will have to furnish a translation (PCT Rule 12.3).

² Where the request is filed in PCT-EASY format together with a PCT-EASY diskette and the receiving Office accepts such filings, the total amount of the international filing fee is reduced (see *PCT Gazette* No. 51/1998, pages 17330 and 17332, and No. 41/2006, page 19092, Schedule of Fees, item 3(a)).

³ The amount of this fee is not yet known. It will be fixed in the near future. The Office or the agent should be consulted for the applicable fee amount.



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

19 April 2007

Notices and Information of a General Character

| | Page |
|--|------|
| Information on Contracting States | |
| GB United Kingdom | 67 |
| Filing and Processing in Electronic Form of International Applications: Notification by Receiving Offices | |
| CN China | 67 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

INFORMATION ON CONTRACTING STATES

GB United Kingdom

The **Patent Office (United Kingdom)** has notified changes in the name of the Office, its facsimile number and its e-mail and Internet addresses, as follows:

| | |
|--------------------|--|
| Name of Office: | United Kingdom Intellectual Property Office (an operating name of the Patent Office) |
| Facsimile machine: | (44-1633) 81 77 77 |
| E-mail: | enquiries@ipo.gov.uk (for enquiries only) pct@ipo.gov.uk (for PCT enquiries only) |
| Internet: | www.ipo.gov.uk |

[Updating of Annex B1(GB) of the *PCT Applicant's Guide*]

FILING AND PROCESSING IN ELECTRONIC FORM OF INTERNATIONAL APPLICATIONS: NOTIFICATION BY RECEIVING OFFICES

CN China

Since 7 January 2002, any receiving Office having the adequate technical systems in place is able to accept the filing of international applications in electronic form in accordance with Part 7 and Annex F of the Administrative Instructions under the PCT containing, respectively, the legal framework and technical standard necessary to enable the implementation of filing and processing in electronic form of international applications, as provided for under PCT Rule 89*bis*.1.

On 20 March 2007, the **State Intellectual Property Office of the People's Republic of China**, in its capacity as receiving Office, notified the International Bureau, under PCT Rule 89*bis*.1(d) and Section 710(a) of the Administrative Instructions under the PCT, that it is prepared to receive and process international applications in electronic form with effect from 1 May 2007, as follows:

“As to electronic document formats (Section 710(a)(i)):

- XML (in general; see Annex F, section 3.1.1.1)
- WIPO Standard ST.25 (for sequence listings; see Annex F, section 3.1.1.2, and Annex C)
- PDF (for files that are referenced by XML files within the international application; see Annex F, section 3.1.2)
- TIFF (for files that are referenced by XML files within the international application; see Annex F, section 3.1.3.1)

As to means of transmittal (Section 710(a)(i)):

- online filing (see Annex F, section 5 and Appendix III, section 2(d))
- filing on one of the following physical media: CD-R or DVD-R (see Annex F, section 5.2.1, Appendix III, section 2(e) and Appendix IV, sections 4.3 and 4.5)

As to electronic document packaging (Section 710(a)(i)):

- WASP (Wrapped and Signed Package; see Annex F, section 4.2.1)
- WAD (Wrapped Application Documents; see Annex F, section 4.1.1) only for filing on a physical medium

As to electronic filing software (Section 710(a)(i)):

- PCT-SAFE software

As to types of electronic signature (Section 710(a)(i)):

- facsimile and text string types of signatures (see Annex F, sections 3.3.1 and 3.3.2)
- enhanced electronic signature (see Annex F, section 3.3.4)

As to conditions, rules and procedures relating to electronic receipt (Section 710(a)(ii)):

The acknowledgement of receipt of any purported international application filed in electronic form with the Office will contain, in addition to the mandatory information required under Section 704(a)(i) to (iv), the names and sizes of the electronic files received (see Section 704(a)(v)) and the dates of creation of the electronic files received (see Section 704(a)(vi)).

The Office will make every effort to accept an international application in electronic form. It is only if the application is not sent in accordance with the E-filing interoperability protocol (see Annex F, section 5.1) that no acknowledgement of receipt will be generated. Other errors, such as the use of outdated certificates (see Annex F, Appendix II, section 4.4.7), applications infected by viruses or other forms of malicious logic (see Section 708(b)) or certain missing files, are notified to the applicant by inclusion in the notification of receipt.

Where it appears that the notification of receipt sent to the applicant by electronic means of transmittal was not successfully transmitted, the Office will promptly retransmit the notification of receipt by the same or another means (see Section 709(b)).

As to methods of online payment (Section 710(a)(ii)):

Online payment is not available. Only currently available means of payment are allowed.

As to details concerning help desks (Section 710(a)(ii)):

The Office has put in place a help desk to answer questions from users of the service. The help desk will be available between 9:00 am and 4:00 pm Monday to Friday, excluding official holidays. It may be contacted:

- by telephone at +(86-10) 62 08 83 00
- by fax at +(86-10) 62 08 82 89
- by e-mail at safecontact@sipo.gov.cn

As to the kinds of documents which may be transmitted to the Office in electronic form (Section 710(a)(iii)):

- international applications

As to filing of backup copies (Section 710(a)(iv)):

The Office will not accept the filing of backup copies on paper. Furthermore, the Office will not prepare a backup copy of the international application on paper at the request of the applicant.

As to procedures for notification of applicants and procedures which applicants may follow as alternatives when the electronic systems of the Office are not available (Section 710(a)(v)):

In case of failure of the electronic systems when an international application is filed with it, the Office will use all means available, such as fax or e-mail, to inform the applicant about procedures to follow as alternatives.

The Office will provide information concerning the availability of the online filing system on its website (www.sipo.gov.cn).

As to the certification authorities accepted by the Office and the electronic addresses of the certificate policies under which certificates are issued (Section 710(a)(vi)):

- WIPO customer CA (www.wipo.int/pct-safe/en/certificates.htm)

As to procedures relating to access to the files of international applications filed or stored in electronic form (Section 710(a)(vii)):

No online file inspection by applicants is provided for at present.”



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

26 April 2007

Notices and Information of a General Character

| | Page |
|---|------|
| International Applications Containing Sequence Listings and/or Tables Related Thereto: Notification by Receiving Offices of Applicable Technical Requirements | |
| IL Israel | 71 |
| Filing of PCT-EASY Requests Together with PCT-EASY Physical Media: Notification by Receiving Offices | |
| IL Israel | 71 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

INTERNATIONAL APPLICATIONS CONTAINING SEQUENCE LISTINGS AND/OR TABLES RELATED THERETO: NOTIFICATION BY RECEIVING OFFICES OF APPLICABLE TECHNICAL REQUIREMENTS

IL Israel

In accordance with Section 801(b), Annex C and Annex C-*bis* of the Administrative Instructions under the PCT, the **Israel Patent Office** as receiving Office has notified a change in the type of electronic medium that it is prepared to accept for the filing in electronic form of sequence listings and/or tables related thereto, as follows: CD-R.

[Updating of Annex C(IL) of the *PCT Applicant's Guide*]

FILING OF PCT-EASY REQUESTS TOGETHER WITH PCT-EASY PHYSICAL MEDIA: NOTIFICATION BY RECEIVING OFFICES

IL Israel – Corrigendum

The **Israel Patent Office** as receiving Office has notified the International Bureau of an error in the information published in Official Notices (PCT Gazette) of 15 February 2007, page 34, concerning the PCT-EASY physical media that it is prepared to accept since 1 February 2007, which should read as follows: 3.5 inch diskette, CD-R.

[Updating of Annex C(IL) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

3 May 2007

Notices and Information of a General Character

| | Page |
|---|------|
| Fees Payable under the PCT | |
| ID Indonesia | 73 |
| RU Russian Federation | 73 |
| US/IB United States of America/International Bureau | 73 |
| US United States of America | 73 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

FEES PAYABLE UNDER THE PCT

ID Indonesia

The **Directorate General of Intellectual Property (Indonesia)** has notified a change in the amount of the transmittal fee (PCT Rule 14) in **Indonesian rupiah (IDR)**, payable to it as receiving Office. The amount applicable since 15 February 2007 is IDR 1,000,000.

[Updating of Annex C(ID) of the *PCT Applicant's Guide*]

RU Russian Federation

The Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee (PCT Rule 16) in **euro (EUR)**, payable for an international search carried out by the **Federal Service for Intellectual Property, Patents and Trademarks (Russian Federation)** for the purposes of certain receiving Offices which have specified the euro (EUR) as a currency of payment or use the euro (EUR) as a basis for calculating the equivalent amount in the national currency. The new amount, applicable from 1 July 2007, is EUR 222.

[Updating of Annex D(RU) of the *PCT Applicant's Guide*]

US United States of America

IB International Bureau

For the purposes of the payment of fees to the **International Bureau** as receiving Office, a new equivalent amount of the lower search fee (PCT Rule 16) in **euro (EUR)**, payable for an international search carried out by the **United States Patent and Trademark Office (USPTO)**, has been established. This amount, applicable from 1 July 2007, is EUR 222.

[Updating of Annex D(US) of the *PCT Applicant's Guide*]

US United States of America

The Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the higher search fee (PCT Rule 16) in **Swiss francs (CHF)**, payable for an international search carried out by the **United States Patent and Trademark Office (USPTO)** for the purposes of certain receiving Offices which have specified the Swiss franc (CHF) as a currency of payment or use the Swiss franc (CHF) as a basis for calculating the equivalent amount in the national currency. The new amount, applicable from 1 July 2007, is CHF 1,216.

[Updating of Annex D(US) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

10 May 2007

Notices and Information of a General Character

| | Page |
|---|------|
| Information on Contracting States | |
| SG Singapore | 76 |
| Request in PCT-EASY Format: Receiving Offices Prepared to Accept Filings | |
| EP European Patent Organization (EPO) | 76 |
| Withdrawal of Notifications by Receiving Offices of Incompatibility with National Laws under PCT Rule 20.8(a) | |
| SG Singapore | 76 |
| Withdrawal of Notifications by Designated Offices of Incompatibility with National Laws under PCT Rule 20.8(b) | |
| SG Singapore | 77 |
| Withdrawal of Notifications by Receiving Offices of Incompatibility with National Laws under PCT Rule 26bis.3(j) | |
| SG Singapore | 77 |
| | /... |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

| | Page |
|---|------|
| Withdrawal of Notifications by Designated Offices of Incompatibility with National Laws under PCT Rule 49 <i>ter</i> .1(g) | |
| SG Singapore | 77 |
| Withdrawal of Notifications by Designated Offices of Incompatibility with National Laws under PCT Rule 49 <i>ter</i> .2(h) | |
| SG Singapore | 77 |
| Restoration of Right of Priority under PCT Rules 26 <i>bis</i> .3 and 49 <i>ter</i> .2 | |
| SG Singapore | 78 |

INFORMATION ON CONTRACTING STATES

SG Singapore

The **Intellectual Property Office of Singapore** has informed the International Bureau of a change concerning the kinds of documents which may be filed by means of telecommunications (PCT Rule 92.4); only documents not requiring the payment of any fees may now be so transmitted. The Office has also removed its requirement to furnish the original of the document in all cases.

Furthermore, the Office has made a clarification concerning the time when the name and address of the inventor must be given if Singapore is designated (or elected), as follows:

“Where an application is initiated on or after 1 April 2007 and enters the national phase on the express request of the applicant prior to the expiration of the time limit under PCT Article 22 or 39(1), that is, an express request made under PCT Article 23(2) or 40(2), the time limit to give the name and address of the inventor, where required, is the later of the following periods:

- (a) 16 months from the declared priority date, or where there is no declared priority date, the date of filing of the application; or
- (b) two months from the date of national phase entry.”

[Updating of Annex B1(SG) of the *PCT Applicant's Guide*]

REQUEST IN PCT-EASY FORMAT: RECEIVING OFFICES PREPARED TO ACCEPT FILINGS

EP European Patent Organization (EPO)

The **European Patent Office (EPO)** has notified the International Bureau that, with effect from 1 April 2007, any PCT-EASY applications (filed on paper and accompanied by the request form data and abstract on a physical medium) filed with the Office will be processed as international applications filed on paper, and PCT-EASY physical media received by the Office will be disregarded. Moreover, from 1 April 2007, no international application filed with the EPO as receiving Office will benefit from the fee reduction applicable to PCT-EASY applications.

[Updating of Annex C(EP) of the *PCT Applicant's Guide*]

WITHDRAWAL OF NOTIFICATIONS BY RECEIVING OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 20.8(a)

SG Singapore

Further to its notification of incompatibility with its national law under PCT Rule 20.8(a) (see PCT Gazette No. 26/2006, page 18992), the **Intellectual Property Office of Singapore**, in its capacity as receiving Office, has notified the International Bureau that it has withdrawn the said notification with effect from 1 April 2007. PCT Rules 20.3(a)(ii) and (b)(ii), 20.5(a)(ii) and (d), and 20.6 therefore apply from that date.

WITHDRAWAL OF NOTIFICATIONS BY DESIGNATED OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 20.8(b)

SG Singapore

Further to its notification of incompatibility with its national law under PCT Rule 20.8(b) (see PCT Gazette No. 26/2006, page 18992), the **Intellectual Property Office of Singapore**, in its capacity as designated Office, has notified the International Bureau that it has withdrawn the said notification with effect from 1 April 2007. PCT Rules 20.3(a)(ii) and (b)(ii), 20.5(a)(ii) and (d), and 20.6 therefore apply from that date.

WITHDRAWAL OF NOTIFICATIONS BY RECEIVING OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 26bis.3(j)

SG Singapore

Further to its notification of incompatibility with its national law under PCT Rule 26bis.3(j) (see PCT Gazette No. 26/2006, page 18994), the **Intellectual Property Office of Singapore**, in its capacity as receiving Office, has notified the International Bureau that it has withdrawn the said notification with effect from 1 April 2007. PCT Rule 26bis.3(a) to (i) therefore applies from that date.

WITHDRAWAL OF NOTIFICATIONS BY DESIGNATED OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 49ter.1(g)

SG Singapore

Further to its notification of incompatibility with its national law under PCT Rule 49ter.1(g) (see PCT Gazette No. 26/2006, page 18994), the **Intellectual Property Office of Singapore**, in its capacity as designated Office, has notified the International Bureau that it has withdrawn the said notification with effect from 1 April 2007. PCT Rule 49ter.1(a) to (f) therefore applies from that date.

WITHDRAWAL OF NOTIFICATIONS BY DESIGNATED OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 49ter.2(h)

SG Singapore

Further to its notification of incompatibility with its national law under PCT Rule 49ter.2(h) (see PCT Gazette No. 26/2006, page 18996), the **Intellectual Property Office of Singapore**, in its capacity as designated Office, has notified the International Bureau that it has withdrawn the said notification from 1 April 2007 for international applications the international filing date of which is on or after 1 April 2007. PCT Rule 49ter.2(a) to (g) therefore applies from that date to the said international applications. The Office retains the above-mentioned notification of incompatibility for international applications the international filing date of which is prior to 1 April 2007.

RESTORATION OF RIGHT OF PRIORITY UNDER PCT RULES 26bis.3 AND 49ter.2

SG Singapore

Under PCT Rules 26bis.3(i) and 49ter.2(g), the **Intellectual Property Office of Singapore**, both in its capacities as receiving Office and as designated (or elected) Office, has informed the International Bureau that it applies both the “unintentionality” and the “due care” criteria to requests for restoration of the right of priority.

Furthermore, under PCT Rules 26bis.3(d) and 49ter.2(d), the Office has notified fees for requesting restoration of the right of priority in **Singapore dollars (SGD)**, payable to it as receiving Office and as designated (or elected) Office, respectively. The amount of both fees is SGD 250.

[Updating of Annex C(SG) and of the National Chapter (SG) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

24 May 2007

Notices and Information of a General Character

| | Page |
|-----------------------------------|------|
| Fees Payable under the PCT | |
| AU Australia | 80 |
| RU Russian Federation | 80 |
| US United States of America | 80 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

FEES PAYABLE UNDER THE PCT

AU Australia

The **Australian Patent Office** has notified a change in the amount of the fee for the priority document (PCT Rule 17.1(b)) in **Australian dollars (AUD)**, payable to it as receiving Office. The amount applicable since 1 March 2007 is AUD 100.

[Updating of Annex C(AU) of the *PCT Applicant's Guide*]

RU Russian Federation

The **Federal Service for Intellectual Property, Patents and Trademarks (Russian Federation)** has notified changes in the amount of the transmittal fee (PCT Rule 14) and of the fee for the priority document (PCT Rule 17.1(b)) in **Russian roubles (RUR)**, payable to it as receiving Office. The amount applicable since 9 January 2007 is RUR 600 for each of the fees.

[Updating of Annex C(RU) of the *PCT Applicant's Guide*]

US United States of America

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **New Zealand dollars (NZD)** has been established for the higher search fee for an international search carried out by the **United States Patent and Trademark Office (USPTO)**. This amount, applicable from 1 August 2007, is NZD 1,360.

[Updating of Annex D(US) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

31 May 2007

Notices and Information of a General Character

| | Page |
|---|------|
| Information on Contracting States | |
| CH Switzerland | 82 |
| Withdrawal of Notifications by Designated Offices of Incompatibility with National Laws under PCT Rule 51<i>bis</i>.2(c) | |
| CA Canada | 82 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

INFORMATION ON CONTRACTING STATES

CH Switzerland

The **Swiss Federal Institute of Intellectual Property** has notified changes in its e-mail and Internet addresses, as follows:

E-mail: info@ipi.ch

Internet: www.ige.ch

Furthermore, the Office has notified changes in its location and mailing address, as well as in its telephone and facsimile numbers, applicable from 25 June 2007, as follows:

Location and mailing address: Stauffacherstrasse 65,
CH-3003 Bern, Switzerland

Telephone: (41-31) 377 77 77

Facsimile machine: (41-31) 377 77 78

[Updating of Annex B1(CH) of the *PCT Applicant's Guide*]

WITHDRAWAL OF NOTIFICATIONS BY DESIGNATED OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 51bis.2(c)

CA Canada

Further to its notification of incompatibility with its national law under PCT Rule 51bis.2(c) (see PCT Gazette No. 05/2001, page 2024), the **Canadian Intellectual Property Office**, in its capacity as designated Office, has notified the International Bureau that it withdraws the said notification with effect from 2 June 2007. PCT Rule 51bis.2(a)(ii) will therefore apply as of that date.



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

7 June 2007

Notices and Information of a General Character

| | Page |
|--|------|
| International Searching Authorities | |
| International Preliminary Examining Authorities | |
| RU Russian Federation | 84 |
| Fees Payable under the PCT | |
| RU Russian Federation | 85 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

**INTERNATIONAL SEARCHING AUTHORITIES
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES**

RU Agreement between the Russian Agency for Patents and Trademarks and the International Bureau of the World Intellectual Property Organization¹ – Amendment to Annex C

The **Federal Service for Intellectual Property, Patents and Trademarks (Russian Federation)** has notified the International Bureau, in accordance with Article 11(3)(ii) of the above-mentioned Agreement, of amendments to Part I of Annex C thereof. These amendments will enter into force on 7 June 2007. The amended Annex C will read as follows:

**“Annex C
Fees and Charges**

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (US dollars) |
|---|--------------------------------|
| Search fee (Rule 16.1(a)) ² | 500 |
| Additional fee (Rule 40.2(a)) ³ | 500 |
| Preliminary examination fee (Rule 58.1(b)): ³ | |
| – if the international search report has been prepared by the Authority | [No change] |
| – if the international search report has been prepared by another International Searching Authority | [No change] |
| Additional fee (Rule 68.3(a)): ³ | |
| – if the international search report has been prepared by the Authority | [No change] |
| – if the international search report has been prepared by another International Searching Authority | [No change] |
| Late furnishing fee (Rule 13 ^{ter} .1(c)) ³ | 150 |

¹ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_ru.pdf.

² If payment is made to a receiving Office which accepts payments in Russian roubles, the applicant may, instead of paying the US dollar amount, pay the equivalent amount in Russian roubles at the exchange rate applicable, on the date of payment, at the Central Bank of the Russian Federation.

³ The applicant may, instead of paying the US dollar amount, pay the equivalent amount in Russian roubles at the exchange rate applicable, on the date of payment, at the Central Bank of the Russian Federation.

Cost of copies of cited documents (except for documents transmitted to the applicant along with the international search report or preliminary examination report) (Rules 44.3(b) and 71.2(b)):⁴

- patent document, per page [No change]
- non-patent document, per page [No change]

Cost of copies of document contained in the file of the international application (Rule 94.2), per page⁴ 3.00

Part II. [No change]”

FEES PAYABLE UNDER THE PCT

RU Russian Federation

The **Federal Service for Intellectual Property, Patents and Trademarks (Russian Federation)** has notified new amounts of fees, including a new late furnishing fee under PCT Rule 13^{ter}.1(c)), in **US dollars (USD)**, payable to it as International Searching Authority or as International Preliminary Examining Authority. These amounts, applicable from 7 June 2007, are as follows:

| | |
|--|-------------------|
| Search fee (PCT Rule 16) | USD 500 |
| Additional search fee (PCT Rule 40.2) | USD 500 |
| Late furnishing fee (PCT Rule 13 ^{ter} .1(c)) | USD 150 |
| Fee for copies of documents contained in the file of the international application (PCT Rule 94.2) | USD 3.00 per page |

Furthermore, pursuant to PCT Rule 16.1(b), new equivalent amounts of the search fee have been established in **Swiss francs (CHF)** and **euro (EUR)**. These amounts, applicable from 7 June 2007, are as follows:

| | |
|--------------------------|---------|
| Search fee (PCT Rule 16) | CHF 644 |
| | EUR 369 |

[Updating of Annexes D(RU) and E(RU) of the *PCT Applicant's Guide*]

⁴ See footnote 3.



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

14 June 2007

Notices and Information of a General Character

| | Page |
|--|------|
| Fees Payable under the PCT | |
| EP European Patent Organisation (EPO) | 87 |
| ES Spain | 87 |
| SE Sweden | 87 |
| Withdrawal of Notifications by Designated Offices of Incompatibility of PCT Article 22(1) with National Laws; Notification under PCT Article 22(3); Notification under PCT Article 39(1)(b) | |
| SE Sweden | 87 |
| Withdrawal of Notifications by Designated Offices of Incompatibility with National Laws under PCT Rule 49^{ter}.1(g) | |
| SE Sweden | 88 |
| Withdrawal of Notifications by Designated Offices of Incompatibility with National Laws under PCT Rule 49^{ter}.2(h) | |
| SE Sweden | 88 |
| Restoration of Right of Priority under PCT Rule 49^{ter}.2 | |
| SE Sweden | 88 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

FEES PAYABLE UNDER THE PCT

EP European Patent Organisation (EPO)

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **United States dollars (USD)** has been established for the search fee for an international search carried out by the **European Patent Office (EPO)**. This amount, applicable from 1 August 2007, is USD 2,197.

[Updating of Annex D(EP) of the *PCT Applicant's Guide*]

ES Spain

The Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee in **US dollars (USD)**, payable for an international search carried out by the **Spanish Patent and Trademark Office** for the purposes of certain receiving Offices which have specified the US dollar (USD) as a currency of payment or use the US dollar (USD) as a basis for calculating the equivalent amount in the national currency. This amount, applicable from 1 August 2007, is USD 2,197.

[Updating of Annex D(ES) of the *PCT Applicant's Guide*]

SE Sweden

The **Swedish Patent and Registration Office** has notified the International Bureau of a new amount of the search fee in **US dollars (USD)**, payable for an international search carried out by the Office. This amount, applicable from 1 August 2007, is USD 2,197.

[Updating of Annex D(SE) of the *PCT Applicant's Guide*]

WITHDRAWAL OF NOTIFICATIONS BY DESIGNATED OFFICES OF INCOMPATIBILITY OF PCT ARTICLE 22(1) WITH NATIONAL LAWS; NOTIFICATION UNDER PCT ARTICLE 22(3); NOTIFICATION UNDER PCT ARTICLE 39(1)(b)

SE Sweden

Further to its notification of incompatibility of PCT Article 22(1) with its national law (see PCT Gazette No. 08/2002, page 3886), the **Swedish Patent and Registration Office**, in its capacity as designated Office, has notified the International Bureau that it withdraws the said notification with effect from 1 July 2007.

Furthermore, pursuant to PCT Articles 22(3) and 39(1)(b), the Office has notified changes in the time limits applicable for entry into the national phase, with effect from the same date. The new time limit under both Articles will be 31 months from the priority date.

[Updating of the National Chapter (SE) of the *PCT Applicant's Guide*]

WITHDRAWAL OF NOTIFICATIONS BY DESIGNATED OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 49ter.1(g)

SE Sweden

Further to its notification of incompatibility with its national law under PCT Rule 49ter.1(g) (see PCT Gazette No. 09/2006, page 6384), the **Swedish Patent and Registration Office**, in its capacity as designated Office, has notified the International Bureau that it withdraws the said notification with effect from 1 July 2007. PCT Rule 49ter.1(a) to (f) therefore applies from that date.

WITHDRAWAL OF NOTIFICATIONS BY DESIGNATED OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 49ter.2(h)

SE Sweden

Further to its notification of incompatibility with its national law under PCT Rule 49ter.2(h) (see PCT Gazette No. 09/2006, page 6384), the **Swedish Patent and Registration Office**, in its capacity as designated Office, has notified the International Bureau that it withdraws the said notification with effect from 1 July 2007. PCT Rule 49ter.2(a) to (g) therefore applies from that date.

[Updating of the National Chapter (SE) of the *PCT Applicant's Guide*]

RESTORATION OF RIGHT OF PRIORITY UNDER PCT RULE 49ter.2

SE Sweden

Under PCT Rule 49ter.2(g), the **Swedish Patent and Registration Office**, in its capacity as designated Office, has informed the International Bureau that it applies the “due care” criterion to requests for restoration of the right of priority, with effect from 1 July 2007.

[Updating of the National Chapter (SE) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

21 June 2007

Notices and Information of a General Character

| | Page |
|--|------|
| Information on Contracting States | |
| IS Iceland | 90 |
| NL Netherlands | 90 |
| Fees Payable under the PCT | |
| AT Austria | 90 |
| CA/IB Canada/International Bureau | 90 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

INFORMATION ON CONTRACTING STATES

IS Iceland

The **Icelandic Patent Office** has notified a change in its location and mailing address, which now reads: Engjateigi 3, 150 Reykjavik, Iceland.

[Updating of Annex B1(IS) of the *PCT Applicant's Guide*]

NL Netherlands

The **Netherlands Patent Office** has notified changes in its location address as well as in its e-mail and Internet addresses, as follows:

| | |
|-------------------|---|
| Location address: | Patentlaan 2, 2288 EE Rijswijk (ZH), Netherlands |
| E-mail: | info@octrooicentrum.nl |
| Internet: | www.octrooicentrum.nl |

[Updating of Annex B1(NL) of the *PCT Applicant's Guide*]

FEES PAYABLE UNDER THE PCT

AT Austria

The Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee (PCT Rule 16) in **US dollars (USD)**, payable for an international search carried out by the **Austrian Patent Office** for the purposes of certain receiving Offices which have specified the US dollar (USD) as a currency of payment or use the US dollar (USD) as a basis for calculating the equivalent amount in the national currency. The new amount, applicable from 1 August 2007, is USD 272.

[Updating of Annex D(AT) of the *PCT Applicant's Guide*]

CA Canada

IB International Bureau

For the purposes of the payment of fees to the **International Bureau** as receiving Office, a new equivalent amount of the search fee (PCT Rule 16) in **US dollars (USD)**, payable for an international search carried out by the **Canadian Intellectual Property Office**, has been established. This amount, applicable from 1 September 2007, is USD 1,490.

[Updating of Annex D(CA) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

28 June 2007

Notices and Information of a General Character

| | Page |
|--|------|
| Information on Contracting States | |
| LK Sri Lanka | 92 |
| Fees Payable under the PCT | |
| DK Denmark | 92 |
| EP European Patent Organisation (EPO) | 92 |
| Information on Contracting States Receiving Offices | |
| MY Malaysia | 93 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

INFORMATION ON CONTRACTING STATES

LK Sri Lanka

The **National Intellectual Property Office of Sri Lanka** has notified changes in its location and mailing address, in its telephone and facsimile numbers as well as in its Internet address, as follows:

| | |
|-------------------------------|---|
| Location and mailing address: | “Samagam Medura”, 3 rd Floor, 400, D.R. Wijayawardana Mawatha, Colombo 10, Sri Lanka |
| Telephone: | (94-11) 268 93 68 |
| Facsimile machine: | (94-11) 268 93 67 |
| Internet: | www.nipo.lk |

[Updating of Annex B1(LK) of the *PCT Applicant's Guide*]

FEES PAYABLE UNDER THE PCT

DK Denmark

New equivalent amounts in **Danish kroner (DKK)** have been established for the international filing fee, pursuant to PCT Rule 15.2(d), as well as for reductions under item 3 of the Schedule of Fees. These amounts, applicable from 1 September 2007, are as follows:

| | |
|--|-----------|
| International filing fee: | DKK 6,340 |
| Reductions (under Schedule of Fees, item 3): | |
| PCT-EASY: | DKK 450 |
| Electronic filing (the request in character coded format): | DKK 910 |
| Electronic filing (the request, description, claims and abstract in character coded format): | DKK 1,360 |

[Updating of Annex C(DK) of the *PCT Applicant's Guide*]

EP European Patent Organisation (EPO)

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **Singapore dollars (SGD)** has been established for the search fee for an international search carried out by the **European Patent Office (EPO)**. This amount, applicable from 1 September 2007, is SGD 3,310.

[Updating of Annex D(EP) of the *PCT Applicant's Guide*]

**INFORMATION ON CONTRACTING STATES
RECEIVING OFFICES**

MY Malaysia

General information on **Malaysia** as a Contracting State, as well as information on the requirements of the **Intellectual Property Corporation of Malaysia** as receiving Office, is given in Annexes B1(MY) and C(MY), which are published on the following pages.

B1

Information on Contracting States

B1

MY

MALAYSIA

MY

General information

| | |
|---|--|
| Name of Office: | Intellectual Property Corporation of Malaysia |
| Location and mailing address: | 32 nd Floor, Menara Dayabumi, Jalan Sultan Hishamuddin, 50623 Kuala Lumpur |
| Telephone: | (603) 2263 2100 |
| Facsimile machine: | (603) 2274 1332 |
| E-mail: | pct@myipo.gov.my |
| Internet: | www.myipo.gov.my |
| Does the Office accept the filing of documents by means of telecommunication (PCT Rule 92.4)? | Yes, by facsimile machine |
| Which kinds of documents may be so transmitted? | All kinds of documents |
| Must the original of the document be furnished in all cases? | No, only upon invitation |
| Would the Office accept evidence of mailing a document, in case of loss or delay, where a delivery service other than the postal authorities is used (PCT Rule 82.1)? | Yes, provided that the delivery service is DHL, Federal Express, Pos Laju or UPS |
| Competent receiving Office for nationals and residents of Malaysia: | Intellectual Property Corporation of Malaysia or International Bureau of WIPO, at the choice of the applicant ¹ (see Annex C) |
| Competent designated (or elected) Office if Malaysia is designated (or elected): | Intellectual Property Corporation of Malaysia |
| May Malaysia be elected? | Yes (bound by Chapter II of the PCT) |
| Types of protection available via the PCT: | Patents, utility innovations |
| Provisions of the law of Malaysia concerning international-type search: | Section 35B of the Patents Act 1983 (Act 291) |

[Continued on next page]

¹ A resident of Malaysia must file an international application with the Intellectual Property Corporation of Malaysia unless he has already obtained written authorization from the Registrar to file abroad or unless an application for the same invention has been filed with the Office not less than two months earlier and either no directions prohibiting or restricting publication have been issued by the Registrar under Section 30A of the Patents Act 1983 (Act 291) or all such directions have been revoked.

B1

Information on Contracting States

B1

MY

MALAYSIA

MY

[Continued]

Provisional protection after international publication:

After an international application is made available for public inspection, the applicant may in writing warn a person who has commercially or industrially worked the invention that a patent application for the invention has been filed. The applicant may demand from the person who has commercially or industrially worked the invention to pay as compensation to the applicant an amount equivalent to what the applicant would have normally received for the working of the invention from the time of the warning or, in the absence of a warning, from the time the international application has been made available for public inspection to the time of the grant of the patent. However, the right to demand that compensation shall be exercised only after the grant of the patent. See Section 34(5) and (6) of the Patents Act 1983 (Act 291).

Information of interest if Malaysia is designated (or elected)

Time when the name and address of the inventor must be given if Malaysia is designated (or elected):

May be in the request or may be furnished later. If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit of two months from the date of receipt of the invitation.

Are there special provisions concerning the deposit of microorganisms and other biological material?

No

C **Receiving Offices** **C**

MY INTELLECTUAL PROPERTY CORPORATION MY
OF MALAYSIA

| | |
|--|---|
| Competent receiving Office for nationals and residents of: | Malaysia |
| Language in which international applications may be filed: | English |
| Language in which the request may be filed: | English |
| Number of copies on paper required by the receiving Office: | 3 |
| Does the receiving Office accept the filing of international applications with requests in PCT-EASY format? ¹ | No |
| Does the receiving Office accept the filing of international applications in electronic form? ² | Yes ³ |
| Does the receiving Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)? | Yes, the Office applies the “unintentional” criterion to such requests |
| Competent International Searching Authority: | Australian Patent Office, European Patent Office or Korean Intellectual Property Office |
| Competent International Preliminary Examining Authority: | Australian Patent Office, European Patent Office or Korean Intellectual Property Office |
| Fees payable to the receiving Office: | Currency: Malaysian ringgit (MYR) |
| Transmittal fee: | MYR 375 |
| | plus MYR 45 per sheet for each sheet in excess of 30 |
| International filing fee: ⁴ | Equivalent in MYR of Swiss francs 1,400 |
| Fee per sheet in excess of 30: ⁴ | Equivalent in MYR of Swiss francs 15 |

[Continued on next page]

¹ Where the request is filed in PCT-EASY format together with a PCT-EASY diskette and the receiving Office accepts such filings, the total amount of the international filing fee is reduced (see *PCT Gazette* No. 51/1998, pages 17330 and 17332, and No. 41/2006, page 19092, Schedule of Fees, item 3(a)).

² Where the international application is filed in electronic form in accordance with and to the extent provided for in Part 7 and Annex F of the Administrative Instructions, the total amount of the international filing fee is reduced (see *PCT Gazette* No. 41/2006, page 19092, Schedule of Fees, items 3(c) and (d)).

³ For the relevant notification by the Intellectual Property Corporation of Malaysia, refer to *PCT Gazette* No. 44/2006, pages 19118 *et seq.*

⁴ This fee is reduced by 75% if certain conditions apply (see corresponding footnote to Annex C(IB)). For further details, see *PCT Gazette* No. 41/2006, page 19092, Schedule of Fees, item 4.

| | | |
|-----------|--|-----------|
| C | Receiving Offices | C |
| MY | INTELLECTUAL PROPERTY CORPORATION | MY |
| | OF MALAYSIA | |

[Continued]

Fees payable to the receiving Office
(*cont'd*):

Currency: Malaysian ringgit (MYR)

Reductions (under Schedule of Fees, item 3):

Electronic filing
(the request in character coded format):

Equivalent in MYR of Swiss francs 200

Electronic filing
(the request, description, claims and abstract in character coded format):

Equivalent in MYR of Swiss francs 300

Search fee:

See Annex D(AU), (EP) or (KR)

Fee for priority document
(PCT Rule 17.1(b)):

MYR 100 per page for the first 5 pages
plus MYR 2 per page in excess of 5

Fee for requesting restoration of the right of priority
(PCT Rule 26*bis*.3(d)):

None

Is an agent required by the receiving Office?

No, if the applicant resides in Malaysia
Yes, if he is a non-resident

Who can act as agent?

Any patent agent registered before the Office

Waiver of power of attorney:

Has the Office waived the requirement that a separate power of attorney be submitted?

No

Has the Office waived the requirement that a copy of a general power of attorney be submitted?

No



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

5 July 2007

Notices and Information of a General Character

| | Page |
|---|------|
| Fees Payable under the PCT | |
| BG Bulgaria | 99 |
| JP Japan | 100 |
| SE Sweden | 100 |
| Designated (or Elected) Offices | |
| SE Sweden | 100 |
| Restoration of Right of Priority under PCT Rules 26bis.3 and 49ter.2 | |
| BZ Belize | 101 |
| Withdrawal of Notifications by Designated (or Elected) Offices of Incompatibility with National Laws under PCT Rule 51bis.2(c) | |
| SE Sweden | 101 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

FEES PAYABLE UNDER THE PCT

BG Bulgaria

The **Patent Office of the Republic of Bulgaria** has notified changes in the amounts of fees, in **Bulgarian leva (BGL)**, payable to it as receiving Office (transmittal fee) and as designated (or elected) Office, as well as in the exemptions, reductions or refunds of the national fee. These changes, applicable since 1 May 2007, are as follows:

Transmittal fee: BGL 80

National fee:

Patent

Filing fee:¹ BGL 50

Publication of the application fee: BGL 80

Formal requirements examination fee: BGL 50

Preliminary examination and check
of application admissibility fee:

– for one invention: BGL 160

– for a group of two inventions: BGL 200

– for each subsequent invention of the
group in excess of two inventions: BGL 80

Search and examination fee:²

– for one invention: BGL 200

– for a group of two inventions: BGL 300

– for each subsequent invention of the
group in excess of two inventions: BGL 80

Fee for priority claims, per priority: BGL 20

Exemptions, reductions or refunds
of the national fee for patents:

The filing and all examination fees are reduced by 50% where the applicant is the inventor, a State educational institution, an academic research organization, a budgetary organization or a small or medium-sized enterprise.

Utility Model

Filing fee:¹ BGL 50

Formal examination fee: BGL 200

Fee for priority claims, per priority: BGL 20

Registration fee: BGL 100

¹ This fee must be paid within the time limit applicable under PCT Article 22 or 39(1).

² If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirements within a time limit fixed in the invitation.

Exemptions, reductions or refunds
of the national fee for utility models:

The filing fee is reduced by 50% where the applicant is the inventor, a State educational institution, an academic research organization, a budgetary organization or a small or medium-sized enterprise.

[Updating of Annex C(BG) and of the National Chapter (BG) of the *PCT Applicant's Guide*]

JP Japan

New equivalent amounts in **Japanese yen (JPY)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for reductions under item 3 of the Schedule of Fees. These amounts, applicable from 1 September 2007, are as follows:

| | |
|--|-------------|
| International filing fee: | JPY 138,200 |
| Fee per sheet in excess of 30: | JPY 1,500 |
| Reductions (under Schedule of Fees, item 3): | |
| PCT-EASY: | JPY 9,900 |
| Electronic filing (the request, description, claims and abstract in character coded format): | JPY 29,600 |

[Updating of Annex C(JP) of the *PCT Applicant's Guide*]

SE Sweden

Under PCT Rules 26bis.3(d) and 49ter.2(d), the **Swedish Patent and Registration Office** has notified fees for requesting restoration of the right of priority in **Swedish kronor (SEK)**, payable to it as receiving Office and as designated (or elected) Office, respectively. The amount of both fees, applicable since 2 July 2007, is SEK 500.

[Updating of Annex C(SE) and of the National Chapter (SE) of the *PCT Applicant's Guide*]

DESIGNATED (OR ELECTED) OFFICES

SE Sweden

The **Swedish Patent and Registration Office** has notified a change in the special requirements of the Office as designated (or elected) Office (PCT Rule 51bis). The deed of transfer where the applicant is not the inventor is no longer required since 1 July 2007.

[Updating of the National Chapter (SE) of the *PCT Applicant's Guide*]

RESTORATION OF RIGHT OF PRIORITY UNDER PCT RULES 26bis.3 AND 49ter.2

BZ Belize

Under PCT Rules 26bis.3(i) and 49ter.2(g), the **Belize Intellectual Property Office**, both in its capacities as receiving Office and as designated (or elected) Office, has informed the International Bureau that it applies both the “unintentionality” and the “due care” criteria to requests for restoration of the right of priority.

Furthermore, under PCT Rules 26bis.3(d) and 49ter.2(d), the Office has notified fees for requesting restoration of the right of priority in **Belize dollars (BZD)**, payable to it as receiving Office and as designated (or elected) Office, respectively. The amount of both fees is BZD 150.

[Updating of Annex C(BZ) and of the National Chapter (BZ) of the *PCT Applicant's Guide*]

WITHDRAWAL OF NOTIFICATIONS BY DESIGNATED (OR ELECTED) OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 51bis.2(c)

SE Sweden

Further to its notification of incompatibility with its national law under PCT Rule 51bis.2(c) (see PCT Gazette No. 05/2001, page 2024), the **Swedish Patent and Registration Office**, in its capacity as designated (or elected) Office, has notified the International Bureau that it has withdrawn the said notification with effect from 1 July 2007. PCT Rule 51bis.2(a)(i) and (ii) therefore applies since that date.



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

12 July 2007

Notices and Information of a General Character

| | Page |
|--|------|
| Information on Contracting States | |
| AM Armenia | 103 |
| AP African Regional Intellectual Property Organization (ARIPO) | 103 |
| HU Hungary | 103 |
| NL Netherlands | 103 |
| NZ New Zealand | 103 |
| PL Poland | 104 |
| Fees Payable under the PCT | |
| EP European Patent Organisation (EPO) | 104 |
| ES Spain | 104 |
| FI/IB Finland/International Bureau | 104 |
| HU Hungary | 105 |
| IS Iceland | 105 |
| JP Japan | 106 |
| SE Sweden | 106 |
| Receiving Offices | |
| HR Croatia | 106 |
| Designated (or Elected) Offices | |
| MD Moldova | 106 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

INFORMATION ON CONTRACTING STATES

AM Armenia

The **Intellectual Property Agency of the Republic of Armenia** has notified changes in its e-mail and Internet addresses, as follows:

E-mail: armpat@aipa.am

Internet: www.aipa.am

[Updating of Annex B1(AM) of the *PCT Applicant's Guide*]

AP African Regional Intellectual Property Organization (ARIPO)

The **African Regional Intellectual Property Organization (ARIPO)** has notified two additional telephone numbers. The consolidated list of telephone numbers reads as follows:

Telephone: (263-4) 79 40 54, 79 40 65, 79 40 66,
79 40 68, 79 40 74

[Updating of Annex B1(AP) of the *PCT Applicant's Guide*]

HU Hungary

The **Hungarian Patent Office** has notified the discontinuance of the use of its teleprinter.

[Updating of Annex B1(HU) of the *PCT Applicant's Guide*]

NL Netherlands

The **Netherlands Patent Office** has notified a change with relation to the filing of documents by means of telecommunication (PCT Rule 92.4). The original of the document must be furnished in all cases.

[Updating of Annex B1(NL) of the *PCT Applicant's Guide*]

NZ New Zealand

The **Intellectual Property Office of New Zealand** has notified changes in its location and its mailing address, as follows:

Location: 205 Victoria Street, Wellington,
New Zealand

Mailing address: P.O. Box 9241, Wellington, New Zealand

[Updating of Annex B1(NZ) of the *PCT Applicant's Guide*]

PL Poland

The **Patent Office of the Republic of Poland** has notified changes in its telephone and facsimile numbers, as follows:

Telephone: (48-22) 579 01 45, 579 01 27

Facsimile machine: (48-22) 579 03 63

[Updating of Annex B1(PL) of the *PCT Applicant's Guide*]

FEES PAYABLE UNDER THE PCT

EP European Patent Organisation (EPO)

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **Swiss francs (CHF)** has been established for the search fee for an international search carried out by the **European Patent Office (EPO)**. This amount, applicable from 1 September 2007, is CHF 2,668.

[Updating of Annex D(EP) of the *PCT Applicant's Guide*]

ES Spain

The Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee in **Swiss francs (CHF)**, payable for an international search carried out by the **Spanish Patent and Trademark Office** for the purposes of certain receiving Offices which have specified the Swiss franc (CHF) as a currency of payment or use the Swiss franc (CHF) as a basis for calculating the equivalent amount in the national currency. This amount, applicable from 1 September 2007, is CHF 2,668.

[Updating of Annex D(ES) of the *PCT Applicant's Guide*]

FI Finland

IB International Bureau

For the purposes of the payment of fees to the **International Bureau** as receiving Office, and pursuant to PCT Rule 16.1(d), new equivalent amounts in **US dollars (USD)** and in **Swiss francs (CHF)** have been established for the search fee for an international search carried out by the **National Board of Patents and Registration of Finland**. These amounts, applicable from 1 August 2007 and from 1 September 2007, respectively, are USD 2,197 and CHF 2,668.

[Updating of Annex D(FI) of the *PCT Applicant's Guide*]

HU Hungary

The **Hungarian Patent Office** has notified new amounts of fees, in **Hungarian forint (HUF)**, payable to it as designated (or elected) Office. The consolidated list of fees is as follows:

National fee:

For a patent application:

- where the Office is a designated Office:

| | |
|------------|--|
| HUF 34,000 | plus |
| HUF 1,700 | per claim for the 11 th to the 20 th claim |
| HUF 3,400 | per claim for the 21 st to the 30 th claim |
| HUF 5,100 | for each claim in excess of 30 |

- where the Office is an elected Office:

| | |
|------------|--|
| HUF 17,000 | plus |
| HUF 850 | per claim for the 11 th to the 20 th claim |
| HUF 1,700 | per claim for the 21 st to the 30 th claim |
| HUF 2,550 | for each claim in excess of 30 |

For a utility model application:

| | |
|------------|--------------------------------|
| HUF 17,000 | plus |
| HUF 1,100 | for each claim in excess of 20 |

[Updating of the National Chapter, Summary (HU) of the *PCT Applicant's Guide*]

IS Iceland

New equivalent amounts in **Icelandic kronur (ISK)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for the reduction under item 3(a) of the Schedule of Fees where the PCT-SAFE software (operating in “PCT-EASY mode”) is used. These amounts, applicable from 1 September 2007, are as follows:

| | |
|--|------------|
| International filing fee: | ISK 70,500 |
| Fee per sheet in excess of 30: | ISK 800 |
| Reductions (under Schedule of Fees, item 3): | |
| PCT-EASY: | ISK 5,000 |

[Updating of Annex C(IS) of the *PCT Applicant's Guide*]

JP Japan

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **Korean won (KRW)** has been established for the search fee for an international search carried out by the **Japan Patent Office**. This amount, applicable from 1 September 2007, is KRW 739,000.

[Updating of Annex D(JP) of the *PCT Applicant's Guide*]

SE Sweden

The **Swedish Patent and Registration Office** has notified the International Bureau of a new amount of the search fee in **Swiss francs (CHF)**, payable for an international search carried out by the Office. This amount, applicable from 1 September 2007, is CHF 2,668.

[Updating of Annex D(SE) of the *PCT Applicant's Guide*]

RECEIVING OFFICES

HR Croatia

The **State Intellectual Property Office (Croatia)** has notified a change in its requirements as to who can act as agent before it as receiving Office. The following persons can now act as such:

1. any natural or legal person entered in the Register of Representatives maintained by the Office, or
2. any attorney entered in the Register of Attorneys maintained by the Croatian Bar Association.

[Updating of Annex C(HR) of the *PCT Applicant's Guide*]

DESIGNATED (OR ELECTED) OFFICES

MD Moldova

The **State Agency on Intellectual Property (Moldova)** has modified the time limit for furnishing a translation of the international application into Moldovan or Romanian, as well as the required contents of the translation for entry into the national phase. This time limit is now three months from the expiration of the time limit applicable under PCT Article 22 or 39(1).

[Updating of the National Chapter, Summary (MD) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

19 July 2007

Notices and Information of a General Character

| | Page |
|--|------|
| Information on Contracting States | |
| BA Bosnia and Herzegovina | 108 |
| PG Papua New Guinea | 108 |
| Fees Payable under the PCT | |
| CA/IB Canada/International Bureau | 109 |
| ES Spain | 109 |
| MD Moldova | 109 |
| Designated (or Elected) Offices | |
| SM San Marino | 110 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

INFORMATION ON CONTRACTING STATES

BA Bosnia and Herzegovina

The **Institute for Standards, Metrology and Intellectual Property of Bosnia and Herzegovina** has notified changes in the name of the Office, as well as in the location and mailing addresses, telephone and facsimile numbers, and e-mail and Internet addresses of its head office and its branch office, as follows:

| | |
|---------------------------------|--|
| Name of Office: | Institute for Intellectual Property of Bosnia and Herzegovina |
| Location and mailing addresses: | Head Office: Kralja Petra Kresimira IV/8, 88000 Mostar, Bosnia and Herzegovina Branch Office: Hamdije Cemerlica 2/7, 71000 Sarajevo, Bosnia and Herzegovina |
| Telephone: | Head Office: (387-36) 33 43 81 Branch Office: (387-33) 65 27 65 |
| Facsimile machine: | Head Office: (387-36) 31 84 20 Branch Office: (387-33) 65 27 57 |
| E-mail: | Head Office: info@ipr.gov.ba mostar@ipr.gov.ba Branch Office: sarajevo@ipr.gov.ba |
| Internet: | www.ipr.gov.ba |

[Updating of Annex B1(BA) of the *PCT Applicant's Guide*]

PG Papua New Guinea

The **Intellectual Property Office of Papua New Guinea** has notified changes in its location and mailing address and in its telephone numbers, as follows:

| | |
|-------------------------------|--|
| Location and mailing address: | 3 rd Floor Credit Corporation Building, Cuthbertson Street, P.O. Box 1281, Port Moresby, N.C.D., Papua New Guinea |
| Telephone: | (675) 308 4444, 321 7311, 308 4434 |

[Updating of Annex B1(PG) of the *PCT Applicant's Guide*]

FEES PAYABLE UNDER THE PCT

CA Canada

IB International Bureau

For the purposes of the payment of fees to the **International Bureau** as receiving Office, and pursuant to PCT Rule 16.1(d), a new equivalent amount in **euro (EUR)** has been established for the search fee for an international search carried out by the **Canadian Intellectual Property Office**. This amount, applicable from 1 September 2007, is EUR 1,112.

[Updating of Annex D(CA) of the *PCT Applicant's Guide*]

ES Spain

The **Spanish Patent and Trademark Office** has notified new amounts of fees, in **euro (EUR)**, payable to it as receiving Office (transmittal fee and fee for priority document) and as designated (or elected) Office. These amounts, applicable since 1 January 2007, are as follows:

| | |
|--|-----------|
| Transmittal fee: | EUR 67.89 |
| Fee for priority document (PCT Rule 17.1(b)): | EUR 27.16 |
| National fee: | |
| For patent: | |
| Filing fee: | EUR 88.13 |
| For utility model: | |
| Filing fee: | EUR 88.13 |

[Updating of Annex C(ES) and of the National Chapter, Summary (ES) of the *PCT Applicant's Guide*]

MD Moldova

The **State Agency on Intellectual Property (Moldova)** has notified changes in the amounts of fees, in **US dollars (USD)**, payable to it as receiving Office (transmittal fee and fee for priority document) and as designated (or elected) Office, as well as in the exemptions, reductions or refunds of the national fee, as follows:

| | |
|--|-------------|
| Transmittal fee: | USD 40 |
| Fee for priority document (PCT Rule 17.1(b)): | USD 20 |
| National fee: | |
| For patent: | |
| Filing fee: | USD 100 |
| Examination fee: | USD 400 |
| Annual fee for the 1 st to the 5 th year, per year: | [No change] |

| | |
|---|--|
| For utility model: | |
| Filing fee: | USD 100 |
| Examination fee: | USD 200 |
| Exemptions, reductions or refunds of the national fee for patents: | The examination fee is USD 250 where an international search report or an international preliminary examination report has been established. |
| Exemptions, reductions or refunds of the national fee for utility models: | The examination fee is USD 150 where an international search report or an international preliminary examination report has been established. |

[Updating of Annex C(MD) and of the National Chapter, Summary (MD) of the *PCT Applicant's Guide*]

DESIGNATED (OR ELECTED) OFFICES

SM San Marino

The **Patent and Trademark Office (San Marino)** has notified a change in the special requirements of the Office as designated (or elected) Office (PCT Rule 51*bis*). The translation of the international application must now be furnished in four copies instead of two.

[Updating of the National Chapter, Summary (SM) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

26 July 2007

Notices and Information of a General Character

| | Page |
|---|------|
| Information on Contracting States | |
| BG Bulgaria | 112 |
| PH Philippines | 112 |
| SY Syrian Arab Republic | 112 |
| Fees Payable under the PCT | |
| AU Australia | 112 |
| Deposits of Microorganisms and Other Biological Material: Institutions with Which Deposits May Be Made | |
| JP Japan | 113 |
| Restoration of Right of Priority under PCT Rules 26bis.3 and 49ter.2 | |
| SY Syrian Arab Republic | 113 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

INFORMATION ON CONTRACTING STATES

BG Bulgaria

The **Patent Office of the Republic of Bulgaria** has notified a change with relation to the national type of protection available via the PCT, which now reads as follows: “Patents, utility models registration (a utility model registration may be sought instead of a national patent or in parallel with a national patent).”

[Updating of Annex B1(BG) of the *PCT Applicant's Guide*]

PH Philippines

The **Intellectual Property Office (Philippines)** has notified changes in its telephone and facsimile numbers, as follows:

Telephone: (632) 752 54 50 to 65 (extensions 401, 404)

Facsimile machine: (632) 890 48 62, 897 17 37

[Updating of Annex B1(PH) of the *PCT Applicant's Guide*]

SY Syrian Arab Republic

The **Directorate of Commercial and Industrial Property (Syrian Arab Republic)** has notified changes in its telephone number and Internet address, as follows:

Telephone: (963-11) 516 1139

Internet: www.spo.gov.sy

[Updating of Annex B1(SY) of the *PCT Applicant's Guide*]

FEES PAYABLE UNDER THE PCT

AU Australia

The Director General of the **World Intellectual Property Organization** has established new equivalent amounts of the search fee in **Swiss francs (CHF)** and in **US dollars (USD)**, payable for an international search carried out by the **Australian Patent Office** for the purposes of certain receiving Offices which have specified the Swiss franc (CHF) or the US dollar (USD) as a currency of payment or use the Swiss franc (CHF) or the US dollar (USD) as a basis for calculating the equivalent amount in the national currency. These amounts, applicable from 1 October 2007, are CHF 1,663 and USD 1,372, respectively.

[Updating of Annex D(AU) of the *PCT Applicant's Guide*]

**DEPOSITS OF MICROORGANISMS AND OTHER BIOLOGICAL MATERIAL:
INSTITUTIONS WITH WHICH DEPOSITS MAY BE MADE**

JP Japan

Pursuant to PCT Rule 13*bis*.7(b), the **Japan Patent Office** has notified the deletion of the Institute of Applied Microbiology (IAM) from the list of depositary institutions with which deposits of microorganisms may be made for the purposes of patent procedure.

[Updating of Annex L of the *PCT Applicant's Guide*]

RESTORATION OF RIGHT OF PRIORITY UNDER PCT RULES 26*bis*.3 AND 49*ter*.2

SY Syrian Arab Republic

Under PCT Rules 26*bis*.3(i) and 49*ter*.2(g), the **Directorate of Commercial and Industrial Property (Syrian Arab Republic)**, both in its capacities as receiving Office and as designated (or elected) Office, has informed the International Bureau that it applies both the “unintentionality” and the “due care” criteria to requests for restoration of the right of priority.

[Updating of Annex C(SY) and of the National Chapter, Summary (SY) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

2 August 2007

Notices and Information of a General Character

| | Page |
|--|------|
| Information on Contracting States | |
| PT Portugal | 115 |
| Fees Payable under the PCT | |
| EP European Patent Organisation (EPO) | 115 |
| PT Portugal | 116 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

INFORMATION ON CONTRACTING STATES

PT Portugal

The **National Institute of Industrial Property (Portugal)** has notified changes in its facsimile number and e-mail address, as follows:

Facsimile machine: (351-21) 887 85 08

E-mail: dripi@inpi.pt

[Updating of Annex B1(PT) of the *PCT Applicant's Guide*]

FEES PAYABLE UNDER THE PCT

EP European Patent Organisation (EPO)

New equivalent amounts in **euro (EUR)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for reductions under item 3 of the Schedule of Fees. These amounts, applicable from 1 October 2007, are as follows:

International filing fee: EUR 851

Fee per sheet in excess of 30: EUR 9

Reductions (under Schedule of Fees, item 3):

Electronic filing (the request in character coded format): EUR 122

Electronic filing (the request, description, claims and abstract in character coded format): EUR 182

[Updating of Annexes C(AT), C(BA), C(BE), C(CZ), C(DE), C(EP), C(ES), C(FI), C(FR), C(GR), C(IB), C(IE), C(IT), C(LT), C(LU), C(LV), C(MC), C(NL), C(PT), C(SI), and C(SM) of the *PCT Applicant's Guide*]

PT Portugal

The **National Institute of Industrial Property (Portugal)** has notified new amounts of fees, in **euro (EUR)**, payable to it as receiving Office (transmittal fee and fee for priority document) and as designated (or elected) Office. These amounts, applicable since 1 July 2007, are as follows:

| | |
|--|------------|
| Transmittal fee: | EUR 33.44 |
| Fee for priority document (PCT Rule 17.1(b)): | EUR 39.01 |
| National fee: | |
| For patent and for utility model: | |
| Filing fee: | EUR 122.61 |
| Examination fee: | EUR 222.91 |
| Fee for submission of any document | EUR 5.58 |

[Updating of Annex C(PT) and of the National Chapter, Summary (PT) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

9 August 2007

Notices and Information of a General Character

| | Page |
|-----------------------------------|------|
| Fees Payable under the PCT | |
| AU Australia | 118 |
| NZ New Zealand | 118 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

FEES PAYABLE UNDER THE PCT

AU Australia

New equivalent amounts in **Australian dollars (AUD)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for reductions under item 3 of the Schedule of Fees. These amounts, applicable from 1 October 2007, are as follows:

| | |
|--|-----------|
| International filing fee: | AUD 1,347 |
| Fee per sheet in excess of 30: | AUD 14 |
| Reductions (under Schedule of Fees, item 3): | |
| PCT-EASY: | AUD 96 |
| Electronic filing (the request in character coded format): | AUD 192 |
| Electronic filing (the request, description, claims and abstract in character coded format): | AUD 289 |

Furthermore, pursuant to PCT Rule 16.1(d), new equivalent amounts in **Korean won (KRW)** and in **South African rand (ZAR)** have been established for the search fee for an international search carried out by the Office. These amounts, also applicable from 1 October 2007, are KRW 1,266,000 and ZAR 9,560, respectively.

[Updating of Annexes C(AU) and D(AU) of the *PCT Applicant's Guide*]

NZ New Zealand

New equivalent amounts in **New Zealand dollars (NZD)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for the reduction under item 3(a) of the Schedule of Fees where the PCT-SAFE software (operating in “PCT-EASY mode”) is used. These amounts, applicable from 1 October 2007, are as follows:

| | |
|--|-----------|
| International filing fee: | NZD 1,479 |
| Fee per sheet in excess of 30: | NZD 16 |
| Reductions (under Schedule of Fees, item 3): | |
| PCT-EASY: | NZD 106 |

[Updating of Annex C(NZ) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

16 August 2007

Notices and Information of a General Character

| | Page |
|-----------------------------------|------|
| Fees Payable under the PCT | |
| AU Australia | 120 |
| US United States of America | 120 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

FEES PAYABLE UNDER THE PCT

AU Australia

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **Singapore dollars (SGD)** has been established for the search fee for an international search carried out by the **Australian Patent Office**. This amount, applicable from 15 October 2007, is SGD 2,090.

[Updating of Annex D(AU) of the *PCT Applicant's Guide*]

US United States of America

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **New Zealand dollars (NZD)** has been established for the lower search fee for an international search carried out by the **United States Patent and Trademark Office (USPTO)**. This amount, applicable from 15 October 2007, is NZD 380.

[Updating of Annex D(US) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

23 August 2007

Notices and Information of a General Character

| | Page |
|-----------------------------------|------|
| Fees Payable under the PCT | |
| AT Austria | 122 |
| BA Bosnia and Herzegovina | 122 |
| BE Belgium | 122 |
| CZ Czech Republic | 122 |
| DE Germany | 122 |
| ES Spain | 122 |
| FI Finland | 122 |
| FR France | 122 |
| GR Greece | 122 |
| IB International Bureau | 122 |
| IE Ireland | 122 |
| IT Italy | 122 |
| LT Lithuania | 122 |
| LU Luxembourg | 122 |
| LV Latvia | 122 |
| MC Monaco | 122 |
| NL Netherlands | 122 |
| PT Portugal | 122 |
| SI Slovenia | 122 |
| SM San Marino | 122 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

FEES PAYABLE UNDER THE PCT

A new equivalent amount in **euro (EUR)** has been established for the reduction under item 3(a) of the Schedule of Fees for the purposes of receiving Offices which have specified the euro (EUR) as a currency of payment and have notified the International Bureau that they are prepared to accept PCT-EASY applications (filed on paper and accompanied by the request form data and abstract on a physical medium), namely, the **International Bureau** as receiving Office and the Offices of the following States:

AT Austria
BA Bosnia and Herzegovina
BE Belgium
CZ Czech Republic
DE Germany
ES Spain
FI Finland
FR France
GR Greece
IE Ireland
IT Italy
LT Lithuania
LU Luxembourg
LV Latvia
MC Monaco
NL Netherlands
PT Portugal
SI Slovenia
SM San Marino

The new amount, applicable from 1 October 2007, is EUR 61.

[Updating of Annexes C(AT), C(BA), C(BE), C(CZ), C(DE), C(ES), C(FI), C(FR), C(GR), C(IB), C(IE), C(IT), C(LT), C(LU), C(LV), C(MC), C(NL), C(PT), C(SI) and C(SM) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

30 August 2007

Notices and Information of a General Character

| | Page |
|--|------|
| Fees Payable under the PCT | |
| EP European Patent Organisation (EPO) | 124 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

FEES PAYABLE UNDER THE PCT

EP European Patent Organisation (EPO)

The **European Patent Office (EPO)** Office has notified that the search fee paid for an earlier search with a written opinion on a national application, made on behalf of the Office of France, the Netherlands or Turkey and refunded when the Authority benefits from that search in carrying out an international search, shall be refunded to the same extent in the case of national applications filed as from 1 January 2007 when the earlier search is made on behalf of the Office of Belgium or Luxembourg.

Furthermore, pursuant to PCT Rule 16.1(d), a new equivalent amount in **New Zealand dollars (NZD)** has been established for the search fee for an international search carried out by the Office. This amount, applicable from 1 November 2007, is NZD 2,810.

[Updating of Annex D(EP) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

13 September 2007

Notices and Information of a General Character

| | Page |
|-----------------------------------|------|
| Fees Payable under the PCT | |
| US United States of America | 126 |
| Receiving Offices | |
| DO Dominican Republic | 126 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

FEES PAYABLE UNDER THE PCT

US United States of America

New equivalent amounts in **US dollars (USD)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for the reductions under item 3 of the Schedule of Fees. These amounts, applicable from 15 November 2007, are as follows:

| | |
|--|-----------|
| International filing fee: | USD 1,163 |
| Fee per sheet in excess of 30: | USD 12 |
| Reductions (under Schedule of Fees, item 3): | |
| PCT-EASY: | USD 83 |
| Electronic filing (the request not in character coded format): | USD 83 |
| Electronic filing (the request in character coded format): | USD 166 |
| Electronic filing (the request, description, claims and abstract in character coded format): | USD 249 |

[Updating of Annexes C(AM), C(AP), C(AZ), C(BW), C(BY), C(BZ), C(CO), C(CR), C(CU), C(EA), C(EC), C(EG), C(GE), C(GH), C(IB), C(IL), C(IN), C(KE), C(KG), C(KZ), C(LR), C(MD), C(NI), C(PG), C(PH), C(RU), C(SC), C(SY), C(TJ), C(TM), C(TT), C(UA), C(US), C(UZ), C(ZM) and C(ZW) of the *PCT Applicant's Guide*]

RECEIVING OFFICES

DO Dominican Republic

The **National Office of Industrial Property (Dominican Republic)** has specified the European Patent Office and the Spanish Patent and Trademark Office as competent International Searching and International Preliminary Examining Authorities for international applications filed by nationals and residents of the Dominican Republic with the National Office of Industrial Property (Dominican Republic) as receiving Office.



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

20 September 2007

Notices and Information of a General Character

| | Page |
|---|------|
| Contracting States | |
| States Party to the Patent Cooperation Treaty (PCT) | |
| ME Montenegro | 128 |
| Receiving Offices | |
| ME/IB Montenegro/International Bureau | 128 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

CONTRACTING STATES

States Party to the Patent Cooperation Treaty (PCT)

ME Montenegro

Following the adoption by the National Assembly of Montenegro of a declaration of independence on 3 June 2006, Montenegro deposited on 4 December 2006 with the Director General of WIPO a declaration that the PCT continues to be applicable, as from 3 June 2006, in respect of the territory of Montenegro.

[Updating of Annex A of the *PCT Applicant's Guide*]

RECEIVING OFFICES

ME Montenegro

IB International Bureau

Pursuant to PCT Rule 19.1(b), the **Government of Montenegro** has notified the International Bureau that it delegates the functions of receiving Office to the **International Bureau** until further notice.

[Updating of Annex C(IB) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

27 September 2007

Notices and Information of a General Character

| | Page |
|---|------|
| Information on Intergovernmental Organizations | |
| JP Japan | 130 |
| Request in PCT-EASY Format: Receiving Offices Prepared to Accept Filings | |
| FI Finland | 130 |
| Fees Payable under the PCT | |
| US United States of America | 130 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

INFORMATION ON INTERGOVERNMENTAL ORGANIZATIONS

JP Japan

Pursuant to PCT Rule 82.1(d), the **Japan Patent Office** will accept evidence of mailing a document, in case of loss or delay, where a delivery service other than the postal authorities is used, as from 1 October 2007. The delivery service must satisfy the prescribed criteria and be approved by the Japanese Minister for Internal Affairs and Communications, under the Japanese Law Concerning Correspondence Delivery Provided by Private-Sector-Operators.

[Updating of Annex B1(JP) of the *PCT Applicant's Guide*]

REQUEST IN PCT-EASY FORMAT: RECEIVING OFFICES PREPARED TO ACCEPT FILINGS

FI Finland

The **National Board of Patents and Registration of Finland** has notified the International Bureau that, with effect from 1 January 2008, PCT-EASY applications (filed on paper and accompanied by the request form data and abstract on a physical medium) filed with the Office will no longer be accepted. Furthermore, from 1 January 2008, no international application filed with the Office as receiving Office will benefit from the fee reduction applicable to PCT-EASY applications.

[Updating of Annex C(FI) of the *PCT Applicant's Guide*]

FEES PAYABLE UNDER THE PCT

US United States of America

The **United States Patent and Trademark Office (USPTO)** has notified that it will not require a fee for the priority document (PCT Rule 17.1(b)) for international applications filed with it as receiving Office on or after 31 August 2007.

[Updating of Annex C(US) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

4 October 2007

Notices and Information of a General Character

| | Page |
|--|------|
| Restoration of Right of Priority under PCT Rule 26bis.3 | |
| CN China | 132 |
| Receiving Offices | |
| BE Belgium | 132 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

RESTORATION OF RIGHT OF PRIORITY UNDER PCT RULE 26bis.3

CN China

Under PCT Rule 26bis.3(i), the **State Intellectual Property Office of the People's Republic of China**, in its capacity as receiving Office, has informed the International Bureau that it applies both the “unintentionality” and the “due care” criteria to requests for restoration of the right of priority.

[Updating of Annex C(CN) of the *PCT Applicant's Guide*]

RECEIVING OFFICES

BE Belgium

The **Intellectual Property Office (Belgium)** has notified the deletion of fee stamps as a means of payment of the fee for the priority document (PCT Rule 17.1(b)). Consequently, the term “in fee stamps” has been changed to “in fiscal duties”.

[Updating of Annex C(BE) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

11 October 2007

Notices and Information of a General Character

| | Page |
|---|------|
| Contracting States | |
| States Party to the Patent Cooperation Treaty (PCT) | |
| AO Angola | 134 |
| Information on Contracting States | |
| BR Brazil | 134 |
| EG Egypt | 135 |
| Fees Payable under the PCT | |
| BR Brazil | 135 |
| Receiving Offices | |
| BR Brazil | 136 |
| Information on Contracting States | |
| Receiving Offices | |
| DO Dominican Republic | 136 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

CONTRACTING STATES

States Party to the Patent Cooperation Treaty (PCT)

AO Angola

On 27 September 2007, **Angola** deposited its instrument of accession to the PCT and on 27 December 2007, will become bound by the PCT.

Consequently, any international application filed on or after 27 December 2007 will automatically include the designation of Angola (country code: AO).

Angola will be bound by Chapter II of the PCT and will automatically be elected in any demand for international preliminary examination filed in respect of an international application filed on or after 27 December 2007. Furthermore, nationals and residents of Angola will be entitled, as from 27 December 2007, to file international applications under the PCT.

[Updating of Annex A of the *PCT Applicant's Guide*]

INFORMATION ON CONTRACTING STATES

BR Brazil

The **National Institute of Industrial Property (Brazil)** has notified changes in its location and mailing address, in its telephone and facsimile numbers as well as in its e-mail and Internet addresses, as follows:

| | |
|-------------------------------|--|
| Location and mailing address: | DIRPA/gabinete (Patent Directorate) Rua Mayrinck Veiga, No. 9 – 15° andar 20090-910 Rio de Janeiro, RJ, Brazil |
| | DIRPA/SEPPCT Praça Maua, No. 7, 8° andar 20083-900 Rio de Janeiro, RJ, Brazil |
| Telephone: | (55-21) 2139 35 92 (DIRPA) (55-21) 2139 33 18 (SEPPCT) |
| Facsimile machine: | (55-21) 2139 31 94 |
| E-mail: | patente@inpi.gov.br |
| Internet: | www.inpi.gov.br |

Furthermore, the Office has notified the discontinuance of the use of its teleprinter.

[Updating of Annex B1(BR) of the *PCT Applicant's Guide*]

EG Egypt

The **Egyptian Patent Office** has notified changes in its telephone and facsimile numbers, as follows:

Telephone: (202) 2792 12 72
Facsimile machine: (202) 2792 12 73

[Updating of Annex B1(EG) of the *PCT Applicant's Guide*]

FEES PAYABLE UNDER THE PCT

BR Brazil

The **National Institute of Industrial Property (Brazil)** has notified new amounts of fees, in **Brazilian reais (BRR)**, payable to it as receiving Office (transmittal fee and fee for priority document) and as designated (or elected) Office, as follows:

| | |
|--|---|
| Transmittal fee: | BRR 305 |
| Fee for priority document (PCT Rule 17.1(b)): | BRR 95 |
| National fee: | |
| For patent: | |
| Filing fee: | BRR 140 |
| First annual fee: | BRR 505 (if patent already issued) or BRR 195 (if patent not already issued) |
| For utility model: | |
| Filing fee: | BRR 140 |
| First annual fee: | BRR 260 (if utility model already issued) or BRR 130 (if utility model not already issued) |

[Updating of Annex C(BR) and of the National Chapter, Summary (BR) of the *PCT Applicant's Guide*]

RECEIVING OFFICES

BR Brazil

The **National Institute of Industrial Property (Brazil)** has notified changes in the address and facsimile number of the Associação Brasileira dos Agentes de Propriedade Industrial – ABAPI (Brazilian Association of Industrial Property Agents) from which a list of qualified patent attorneys may be obtained, as follows:

Av. Rio Branco 100 – 7º Andar, 20040-007 Rio de Janeiro, RJ, Brazil
Facsimile No.: (55-21) 2224 59 42

[Updating of Annex C(BR) and of the National Chapter, Summary (BR) of the *PCT Applicant's Guide*]

INFORMATION ON CONTRACTING STATES RECEIVING OFFICES

DO Dominican Republic

General information on the **Dominican Republic** as a Contracting State, as well as information on the requirements of the **National Office of Industrial Property** as receiving Office, is given in Annexes B1(DO) and C(DO), which are published on the following pages.

B1

Information on Contracting States

B1

DO

DOMINICAN REPUBLIC

DO

General information

| | |
|---|--|
| Name of Office: | Oficina Nacional de la Propiedad Industrial National Office of Industrial Property |
| Location and mailing address: | Ave. Los Próceres, No. 11, Los Jardines del Norte, Santo Domingo, Dominican Republic |
| Telephone: | (809) 567 74 74 (extensions 237, 262) |
| Facsimile machine: | (809) 732 77 58 |
| E-mail: | Patentes@onapi.gob.do |
| Internet: | www.onapi.gob.do |
| Does the Office accept the filing of documents by means of telecommunication (PCT Rule 92.4)? | Yes, by facsimile machine |
| Which kinds of documents may be so transmitted? | All kinds of documents |
| Must the original of the document be furnished in all cases? | Yes, within 14 days from the date of the transmission |
| Would the Office accept evidence of mailing a document, in case of loss or delay, where a delivery service other than the postal authorities is used (PCT Rule 82.1)? | Yes, provided that the delivery service is DHL, Federal Express, INPOSDOM or UPS |
| Competent receiving Office for nationals and residents of the Dominican Republic: | National Office of Industrial Property or International Bureau of WIPO, at the choice of the applicant (see Annex C) |
| Competent designated (or elected) Office if the Dominican Republic is designated (or elected): | National Office of Industrial Property |
| May the Dominican Republic be elected? | Yes (bound by Chapter II of the PCT) |
| Types of protection available via the PCT: | Patents, utility models |
| Provisions of the law of the Dominican Republic concerning international-type search: | None |

[Continued on next page]

B1

Information on Contracting States

B1

DO

DOMINICAN REPUBLIC

DO

[Continued]

Provisional protection after
international publication:

None

Information of interest if the Dominican Republic is designated (or elected)

Time when the name and address
of the inventor must be given
if the Dominican Republic is designated
(or elected):

Must be in the request. If the data concerning the inventor are
missing at the expiration of the time limit under PCT Article 22
or 39(1), the Office will invite the applicant to comply with the
requirement within the time limit fixed in the invitation.

Are there special provisions concerning
the deposit of microorganisms and other
biological material?

No

| | | |
|-----------|---|-----------|
| C | Receiving Offices | C |
| DO | NATIONAL OFFICE OF INDUSTRIAL PROPERTY | DO |

| | |
|--|--|
| Competent receiving Office for nationals and residents of: | Dominican Republic |
| Language in which international applications may be filed: | Spanish |
| Language in which the request may be filed: | Spanish |
| Number of copies on paper required by the receiving Office: | 3 |
| Does the receiving Office accept the filing of international applications with requests in PCT-EASY format? ¹ | Yes |
| Does the receiving Office accept the filing of international applications in electronic form? | No |
| Does the receiving Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)? | Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests |
| Competent International Searching Authority: | European Patent Office or Spanish Patent and Trademark Office |
| Competent International Preliminary Examining Authority: | European Patent Office or Spanish Patent and Trademark Office |
| Fees payable to the receiving Office: | Currency: Dominican peso (DOP) and United States dollar (USD) |
| Transmittal fee: | USD 275 |
| International filing fee: ² | Equivalent in USD of Swiss francs 1,400 |
| Fee per sheet in excess of 30: ² | Equivalent in USD of Swiss francs 15 |
| Reductions (under Schedule of Fees, item 3): | |
| PCT-EASY: ¹ | Equivalent in USD of Swiss francs 100 |
| Search fee: | See Annex D(EP) or (ES) |
| Fee for priority document (PCT Rule 17.1(b)): | DOP 800 |
| | plus DOP 10 per sheet for certified copy |
| Is an agent required by the receiving Office? | No, if the applicant resides in the Dominican Republic Yes, if he is a non-resident |

[Continued on next page]

¹ Where the request is filed in PCT-EASY format together with a PCT-EASY diskette and the receiving Office accepts such filings, the total amount of the international filing fee is reduced (see *PCT Gazette* No. 51/1998, pages 17330 and 17332, and No. 41/2006, page 19092, Schedule of Fees, item 3(a)).

² This fee is reduced by 75% if certain conditions apply (see corresponding footnote to Annex C(1B)). For further details, see *PCT Gazette* No. 41/2006, page 19092, Schedule of Fees, item 4.

C **Receiving Offices** **C**
DO **NATIONAL OFFICE OF INDUSTRIAL** **DO**
PROPERTY

[Continued]

| | |
|-----------------------|--|
| Who can act as agent? | Any natural or legal person resident in the Dominican Republic |
|-----------------------|--|

Waiver of power of attorney:

| | |
|--|----|
| Has the Office waived the requirement that a separate power of attorney be submitted? | No |
| Has the Office waived the requirement that a copy of a general power of attorney be submitted? | No |



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

25 October 2007

Notices and Information of a General Character

| | Page |
|--|------|
| International Searching Authorities | |
| International Preliminary Examining Authorities | |
| US United States of America | 142 |
| Fees Payable under the PCT | |
| MX Mexico | 143 |
| US United States of America | 143 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

**INTERNATIONAL SEARCHING AUTHORITIES
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES**

US Agreement between the United States Patent and Trademark Office and the International Bureau of the World Intellectual Property Organization¹ – Amendment to Annex C

The **United States Patent and Trademark Office (USPTO)** has notified the International Bureau, in accordance with Article 11(3)(ii) of the above-mentioned Agreement, of amendments to Part I of Annex C thereof. These amendments will enter into force on 9 November 2007. The amended Annex C will read as follows:

**“Annex C
Fees and Charges**

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (US dollars) |
|--|--------------------------------|
| Search fee (Rule 16.1(a)) | 1,800 |
| Additional search fee (Rule 40.2(a)) | 1,800 |
| Preparation of an international-type search report on a United States national application | [No change] |
| Preliminary examination fee (Rule 58.1(b)): | |
| – where the international search fee has been paid on the international application to the Authority | [No change] |
| – where the international search was carried out by another Authority | [No change] |
| Additional examination fee (Rule 68.3(a)) | [No change] |
| Cost of copies (Rule 94.2): | |
| – US patent, per copy | [No change] |
| – non-US patent document, per copy | [No change] |

Part II. [No change]”

¹ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_us.pdf.

FEES PAYABLE UNDER THE PCT

MX Mexico

The **Mexican Institute of Industrial Property** has notified a change in the amount of the transmittal fee (PCT Rule 14) in **US dollars (USD)**, the equivalent of which is payable, in Mexican pesos (MXP), to it as receiving Office. The amount applicable since 13 September 2007 is USD 323.70.

[Updating of Annex C(MX) of the *PCT Applicant's Guide*]

US United States of America

Under PCT Rule 26bis.3(d), the **United States Patent and Trademark Office (USPTO)** has notified a new amount of the fee for requesting restoration of the right of priority in **US dollars (USD)**, payable to it as receiving Office. This amount, applicable from 9 November 2007 for international applications filed on or after 1 April 2007, is USD 1,410.

[Updating of Annex C(US) of the *PCT Applicant's Guide*]

Furthermore, the Office has notified new amounts of the search fee (PCT Rule 16) and the additional search fee (PCT Rule 40.2) in **US dollars (USD)**, payable to it as International Searching Authority. These amounts, applicable from 9 November 2007, are USD 1,800 for each of the fees.

Consequently, pursuant to PCT Rule 16.1(b), new equivalent amounts of the search fee have been established in **Swiss francs (CHF)** and **euro (EUR)**. These amounts, also applicable from 9 November 2007, are CHF 2,136 and EUR 1,282, respectively.

[Updating of Annex D(US) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

1 November 2007

Notices and Information of a General Character

| | Page |
|--|------|
| International Searching Authorities | |
| International Preliminary Examining Authorities | |
| US United States of America | 145 |
| Receiving Offices | |
| DO Dominican Republic | 145 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

**INTERNATIONAL SEARCHING AUTHORITIES
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES**

US Agreement between the United States Patent and Trademark Office and the International Bureau of the World Intellectual Property Organization¹ – Amendment to Annex A

The **United States Patent and Trademark Office (USPTO)** has notified the International Bureau, in accordance with Article 11(3)(i) of the above-mentioned Agreement, of amendments to Annex A thereof. These amendments entered into force on 12 September 2007. The amended Annex A reads as follows:

**“Annex A
States and Languages**

Under Article 3 of the Agreement, the Authority specifies:

(i) the following States, so far as Article 3(1) is concerned:

United States of America, Brazil, Barbados, Trinidad and Tobago, Mexico, Israel, New Zealand, India, South Africa, Saint Lucia, Philippines, Egypt, Dominican Republic;

(ii) the following States, so far as Article 3(2) is concerned:

United States of America and,
where the Authority has prepared the international search report, Brazil, Barbados, Trinidad and Tobago, Mexico, Israel, New Zealand, India, South Africa, Saint Lucia, Philippines, Egypt, Dominican Republic;

(iii) [no change]”

RECEIVING OFFICES

DO Dominican Republic

The **National Office of Industrial Property (Dominican Republic)** has specified the United States Patent and Trademark Office (USPTO), in addition to the European Patent Office and the Spanish Patent and Trademark Office, as competent International Searching and International Preliminary Examining Authority for international applications filed by nationals and residents of the Dominican Republic with the National Office of Industrial Property (Dominican Republic) as receiving Office.

¹ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_us.pdf.



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

8 November 2007

Notices and Information of a General Character

| | Page |
|-----------------------------------|------|
| Fees Payable under the PCT | |
| US United States of America | 147 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

FEES PAYABLE UNDER THE PCT

US United States of America

Further to the announcement published in Official Notices of 25 October 2007, page 143, notifying a new amount of the search fee for a search carried out by the **United States Patent and Trademark Office (USPTO)**, and pursuant to PCT Rule 16.1(b), new equivalent amounts of the search fee have been established in **New Zealand dollars (NZD)** and **South African rand (ZAR)**. These amounts, applicable from 9 November 2007, are NZD 2,370 and ZAR 12,340, respectively.

[Updating of Annex D(US) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

22 November 2007

Notices and Information of a General Character

| | Page |
|---|------|
| Receiving Offices | |
| CR Costa Rica | 150 |
| Deposits of Microorganisms and Other Biological Material: Institutions with Which Deposits May Be Made | |
| EP European Patent Organisation (EPO) | 150 |
| Withdrawal of Notifications by Designated Offices of Incompatibility with National Laws under PCT Rule 4.10(d) | |
| EP European Patent Organisation (EPO) | 150 |
| Withdrawal of Notifications by Receiving Offices of Incompatibility with National Laws under PCT Rule 20.8(a) | |
| EP European Patent Organisation (EPO) | 151 |
| Withdrawal of Notifications by Designated Offices of Incompatibility with National Laws under PCT Rule 20.8(b) | |
| EP European Patent Organisation (EPO) | 151 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

| | Page |
|---|------|
| Withdrawal of Notifications by Receiving Offices of Incompatibility with National Laws under PCT Rule <i>26bis.3(j)</i> | |
| EP European Patent Organisation (EPO) | 151 |
| Withdrawal of Notifications by Designated Offices of Incompatibility with National Laws under PCT Rule 49.6(f) | |
| EP European Patent Organisation (EPO) | 151 |
| Withdrawal of Notifications by Designated Offices of Incompatibility with National Laws under PCT Rule <i>49ter.1(g)</i> | |
| EP European Patent Organisation (EPO) | 152 |
| Withdrawal of Notifications by Designated Offices of Incompatibility with National Laws under PCT Rule <i>49ter.2(h)</i> | |
| EP European Patent Organisation (EPO) | 152 |
| Withdrawal of Notifications by Designated Offices of Incompatibility with National Laws under PCT Rule <i>51bis.1(f)</i> | |
| EP European Patent Organisation (EPO) | 152 |
| Restoration of Right of Priority under PCT Rules <i>26bis.3</i> and <i>49ter.2</i> | |
| EP European Patent Organisation (EPO) | 152 |
| Fees Payable under the PCT | |
| IB International Bureau | 153 |
| US United States of America | 153 |
| PCT Fees – Establishment of New Equivalent Amounts of Fees | 154 |

RECEIVING OFFICES

CR Costa Rica

The **Registry of Intellectual Property (Costa Rica)**, in its capacity as receiving Office, has notified the International Bureau that, pursuant to PCT Rule 12.1(a), it would, in addition to Spanish, accept English as a language in which international applications may be filed (when the European Patent Office (EPO) would be selected as the International Searching Authority).

[Updating of Annex C(CR) of the *PCT Applicant's Guide*]

DEPOSITS OF MICROORGANISMS AND OTHER BIOLOGICAL MATERIAL: INSTITUTIONS WITH WHICH DEPOSITS MAY BE MADE

EP European Patent Organisation (EPO)

Pursuant to PCT Rule 13bis.7(b), the **European Patent Office (EPO)** has notified the International Bureau of a change in the address of the DSMZ–Deutsche Sammlung von Mikroorganismen und Zellkulturen GmbH (DSMZ), an international depositary authority under the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure with which deposits of microorganisms and other biological material may be made, as follows:

DSMZ–Deutsche Sammlung von Mikroorganismen und Zellkulturen GmbH (DSMZ)
Inhoffenstr. 7B
38124 Braunschweig
Germany

[Updating of Annex L of the *PCT Applicant's Guide*]

WITHDRAWAL OF NOTIFICATIONS BY DESIGNATED OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 4.10(d)

EP European Patent Organisation (EPO)

Further to its notification of incompatibility with its national law under PCT Rule 4.10(d) (see PCT Gazette No. 48/1999, page 14448), the **European Patent Office (EPO)**, in its capacity as designated Office, has notified the International Bureau that it withdraws the said notification with effect from 13 December 2007. PCT Rule 4.10(a) and (b) therefore applies from that date.

WITHDRAWAL OF NOTIFICATIONS BY RECEIVING OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 20.8(a)

EP European Patent Organisation (EPO)

Further to its notification of incompatibility with its national law under PCT Rule 20.8(a) (see PCT Gazette No. 22/2006, page 15986), the **European Patent Office (EPO)**, in its capacity as receiving Office, has notified the International Bureau that it withdraws the said notification with effect from 13 December 2007. PCT Rules 20.3(a)(ii) and (b)(ii), 20.5(a)(ii) and (d), and 20.6 therefore apply from that date.

WITHDRAWAL OF NOTIFICATIONS BY DESIGNATED OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 20.8(b)

EP European Patent Organisation (EPO)

Further to its notification of incompatibility with its national law under PCT Rule 20.8(b) (see PCT Gazette No. 22/2006, page 15988), the **European Patent Office (EPO)**, in its capacity as designated Office, has notified the International Bureau that it withdraws the said notification with effect from 13 December 2007. PCT Rules 20.3(a)(ii) and (b)(ii), 20.5(a)(ii) and (d), and 20.6 therefore apply from that date.

WITHDRAWAL OF NOTIFICATIONS BY RECEIVING OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 26bis.3(j)

EP European Patent Organisation (EPO)

Further to its notification of incompatibility with its national law under PCT Rule 26bis.3(j) (see PCT Gazette No. 05/2006, page 3178), the **European Patent Office (EPO)**, in its capacity as receiving Office, has notified the International Bureau that it withdraws the said notification with effect from 13 December 2007. PCT Rule 26bis.3(a) to (i) therefore applies from that date.

[Updating of Annex C(EP) of the *PCT Applicant's Guide*]

WITHDRAWAL OF NOTIFICATIONS BY DESIGNATED OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 49.6(f)

EP European Patent Organisation (EPO)

Further to its notification of incompatibility with its national law under PCT Rule 49.6(f) (see PCT Gazette No. 05/2003, page 2526), the **European Patent Office (EPO)**, in its capacity as designated Office, has notified the International Bureau that it withdraws the said notification with effect from 13 December 2007. PCT Rule 49.6(a) to (e) therefore applies from that date.

WITHDRAWAL OF NOTIFICATIONS BY DESIGNATED OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 49ter.1(g)

EP European Patent Organisation (EPO)

Further to its notification of incompatibility with its national law under PCT Rule 49ter.1(g) (see PCT Gazette No. 05/2006, page 3178), the **European Patent Office (EPO)**, in its capacity as designated Office, has notified the International Bureau that it withdraws the said notification with effect from 13 December 2007. PCT Rule 49ter.1(a) to (f) therefore applies from that date.

WITHDRAWAL OF NOTIFICATIONS BY DESIGNATED OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 49ter.2(h)

EP European Patent Organisation (EPO)

Further to its notification of incompatibility with its national law under PCT Rule 49ter.2(h) (see PCT Gazette No. 05/2006, page 3178), the **European Patent Office (EPO)**, in its capacity as designated Office, has notified the International Bureau that it withdraws the said notification with effect from 13 December 2007. PCT Rule 49ter.2(a) to (g) therefore applies from that date.

[Updating of the National Chapter, Summary (EP) of the *PCT Applicant's Guide*]

WITHDRAWAL OF NOTIFICATIONS BY DESIGNATED OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 51bis.1(f)

EP European Patent Organisation (EPO)

Further to its notification of incompatibility with its national law under PCT Rule 51bis.1(f) (see PCT Gazette No. 05/2001, page 2024), the **European Patent Office (EPO)**, in its capacity as designated Office, has notified the International Bureau that it withdraws the said notification with effect from 13 December 2007. PCT Rule 51bis.1(e) therefore applies from that date.

RESTORATION OF RIGHT OF PRIORITY UNDER PCT RULES 26bis.3 AND 49ter.2

EP European Patent Organisation (EPO)

Under PCT Rules 26bis.3(i) and 49ter.2(g), the **European Patent Office (EPO)**, both in its capacities as receiving Office and as designated (or elected) Office, has informed the International Bureau that it applies the “due care” criterion to requests for restoration of the right of priority.

Furthermore, the Office has notified fees for requesting restoration of the right of priority under PCT Rules 26bis.3(d) and 49ter.2(d), in **euro (EUR)**, payable to it as receiving Office and as designated (or elected) Office, respectively. The amount of each of the fees is EUR 550.

[Updating of Annex C(EP) and of the National Chapter, Summary (EP) of the *PCT Applicant's Guide*]

FEES PAYABLE UNDER THE PCT

IB International Bureau

For the purposes of the **International Bureau** as receiving Office, new equivalent amounts of fees in **euro (EUR)** and in **US dollars (USD)** have been established. These amounts, applicable from 1 January 2008, are as follows:

| | | | |
|--|-------------------------|----|--------|
| Transmittal fee: | EUR 61 | or | USD 85 |
| Fee for priority document (PCT Rules 17.1(b) and 21.2): | EUR 30 | or | USD 43 |
| | Supplement for airmail: | | |
| | EUR [No change] | or | USD 9 |

[Updating of Annex C(IB) of the *PCT Applicant's Guide*]

US United States of America

The **United States Patent and Trademark Office (USPTO)** has notified a new amount of fee in **US dollars (USD)**, payable to it as International Searching Authority. This amount, applicable from 30 September 2007, is as follows:

| | |
|---|---|
| Fee for copies of documents cited in the international search report (PCT Rule 44.3): | US patent: USD 3 per copy Non-US patent documents: none; the applicant receives, together with the international search report, a copy of each non-US patent document cited therein. |
|---|---|

The Office, in its capacity as International Searching Authority, has also informed that from 3 July 2007, it no longer mails paper copies of cited US patents and US patent application publications in international applications. However, electronic copies may be viewed at the USPTO's Internet website (<http://www.uspto.gov/patft/help/images.htm>). The copies can also be printed out free one page at a time. Copies can also be purchased online (<http://ebiz1.uspto.gov/oems25p/index.html>) or obtained from the USPTO Office of Public Records ((1-800) 972 63 82 or (571) 272 31 50) at the fee indicated above.

[Updating of Annex D(US) of the *PCT Applicant's Guide*]

Furthermore, the Office has notified new amounts of fees in **US dollars (USD)**, payable to it as designated (or elected) Office. The amounts in parentheses are applicable in case of filing by a "small entity." The new amounts, applicable from 30 September 2007, are as follows:

| | |
|---|---------------|
| Basic national fee: | USD 310 (155) |
| Search fee: | |
| – IPER prepared by the IPEA/US or the written opinion was prepared by the ISA/US, all claims presented satisfied provisions of PCT Article 33(1) to (4): | [No change] |
| – International search fee paid to the USPTO as ISA: | [No change] |
| – Search report has been prepared by an ISA other than the US and is provided or has been previously communicated by the IB to the USPTO: | USD 410 (205) |
| – All other situations: | USD 510 (255) |
| Examination fee: | |
| – IPER prepared by the IPEA/US or the written opinion was prepared by the ISA/US, all claims presented satisfied provisions of PCT Article 33(1) to (4): | [No change] |
| – All other situations: | USD 210 (105) |
| For every 50 sheets or fraction thereof of the specification and drawings that exceeds 100 sheets (excluding any sequence listing or computer program listing filed in an electronic medium): | USD 260 (130) |
| Additional fee for each claim in independent form in excess of three: | USD 210 (105) |
| Additional fee for each claim, independent or dependent, in excess of 20: | [No change] |
| In addition, if the application contains one or more multiple dependent claims, per application: | USD 370 (185) |

[Updating of the National Chapter, Summary (US) of the *PCT Applicant's Guide*]

PCT Fees – Establishment of New Equivalent Amounts of Fees

Following the consultations undertaken by the Director General at the time of the thirty-sixth (16th ordinary) session of the Assembly of the International Patent Cooperation Union (PCT Union) held in Geneva from 24 September to 3 October 2007, and pursuant to PCT Rules 15.2(d) and 57.2(e), new equivalent amounts of the international filing fee, of the fee per sheet over 30 and of the handling fee, together with the equivalent amounts for the reductions under item 3 of the Schedule of Fees, have been established, with effect from 1 January 2008, in various currencies, as indicated in the table published on pages 156 and 157.

Pursuant to PCT Rule 16.1(d), new equivalent amounts of the search fee have been established in receiving offices' currencies for all International Searching Authorities, with effect from 1 January 2008, as indicated in the table published on page 158. It is to be noted, however, that pursuant to a change in the amount of the search fee and to consequent changes in the equivalent amounts of the said fee payable to the United States Patent and Trademark Office (USPTO) as International Searching Authority (see Official Notices (PCT Gazette) of 25 October 2007, page 143 and of 8 November 2007, page 147), effective since 9 November 2007, the data relating to the USPTO has been superseded and is therefore no longer applicable.

In both tables, the new amounts are distinguished from currently applicable amounts by indicating them in bold print.

[Updating of Annexes C, D and E of the *PCT Applicant's Guide*]

Table 1 - PCT Fees: New equivalent amounts for international filing fee and handling fee (in prescribed currencies)
(applicable from January 1, 2008)

| Country/ Regional Office | Exchange rate in Swiss franc on 24.09.07 | International filing fee Rule 15.2(a) | Fee per sheet in excess of 30 Rule 15.2(a) | E-filing reductions according to Schedule of Fees | | | Handling fee Rule 57.2(a) Schedule of fees item 2 |
|--------------------------------|--|---------------------------------------|--|---|-----------|-----------|---|
| | | | | Item 3(a) and (b) | Item 3(c) | Item 3(d) | |
| Currency | | | | | | | |
| Reference currency Swiss franc | | 1'400 | 15 | 100 | 200 | 300 | Current amount |
| AT - Austria | 1.6517 | 851 848 | 9 | 61 | n.a. | n.a. | 129 Current amount* 121 New amount |
| Euro | | | 9 | 61 | n.a. | n.a. | |
| AU - Australia | 1.0186 | 1'347 1'374 | 14 | 96 | 192 | 289 | 205 Current amount* 196 New amount |
| Australian dollar | | | 15 | 98 | 196 | 295 | |
| BE - Belgium | 1.6517 | 851 848 | 9 | 61 | n.a. | n.a. | 129 Current amount* 121 New amount |
| Euro | | | 9 | 61 | n.a. | n.a. | |
| CA - Canada | 1.1702 | 1'273 1'196 | 14 | 91 | n.a. | n.a. | 182 Current amount 171 New amount |
| Canadian dollar | | | 13 | 85 | n.a. | n.a. | |
| CY - Cyprus | 2.8329 | 516 494 | 6 | n.a. | n.a. | n.a. | Current amount New amount |
| Cyprus pound | | | 5 | n.a. | n.a. | n.a. | |
| DE - Germany | 1.6517 | 851 848 | 9 | 61 | 122 | 182 | 129 Current amount* 121 New amount |
| Euro | | | 9 | 61 | 121 | 182 | |
| DK - Denmark | 0.2215 | 6'340 6'320 | 70 | 450 | 910 | 1'360 | Current amount New amount |
| Danish krone | | | 70 | 450 | 900 | 1'350 | |
| EP - European Patent Office | | | | | | | |
| Euro | 1.6517 | 851 848 | 9 | n.a. | 122 | 182 | 129 Current amount* 121 New amount |
| Euro | | | 9 | n.a. | 121 | 182 | |
| ES - Spain | 1.6517 | 851 848 | 9 | 61 | 122 | 182 | 129 Current amount* 121 New amount |
| Euro | | | 9 | 61 | 121 | 182 | |
| FI - Finland | 1.6517 | 851 848 | 9 | 61 | 122 | 182 | 129 Current amount* 121 New amount |
| Euro | | | 9 | n.a. | 121 | 182 | |
| FR - France | 1.6517 | 851 848 | 9 | 61 | 122 | 182 | 129 Current amount* 121 New amount |
| Euro | | | 9 | 61 | 121 | 182 | |
| GB - United Kingdom | 2.3701 | 574 591 | 6 | 41 | 82 | 123 | Current amount New amount |
| Pound sterling | | | 6 | 42 | 84 | 127 | |
| GR - Greece | 1.6517 | 851 848 | 9 | 61 | n.a. | n.a. | 129 Current amount* 121 New amount |
| Euro | | | 9 | 61 | n.a. | n.a. | |
| IB - International Bureau | | | | | | | |
| Swiss franc | | *** | *** | *** | *** | *** | *** |
| Euro | | *** | *** | *** | *** | *** | *** |
| US dollar | 1.1728 | *** | *** | *** | *** | 249 | *** Current amount** 256 New amount |

* Amounts applicable as from October 1, 2007 (except for the handling fee which remains unchanged since January 1, 2006)

** The corresponding equivalent amounts are indicated above for the Swiss franc and the Euro and below for the US dollar

*** Amounts applicable as from November 15, 2007

Table 1 - PCT Fees: New equivalent amounts for international filing fee and handling fee (in prescribed currencies)
(applicable from January 1, 2008)

| Country/ Regional Office | Exchange rate in Swiss franc on 24.09.07 | International filing fee Rule 15.2(a) | Fee per sheet in excess of 30 Rule 15.2(a) | E-filing reductions according to Schedule of Fees | | | Handling fee Rule 57.2(a) Schedule of fees item 2 |
|---|--|--|---|---|----------------|--------------------|---|
| | | | | Item 3(a) and (b) | Item 3(c) | Item 3(d) | |
| Currency Reference currency Swiss franc | | 1'400 | 15 | 100 | 200 | 300 | 200 Current amount |
| IE - Ireland Euro | 1.6517 | 851 848 | 9 9 | 61 61 | n.a. n.a. | n.a. n.a. | 129 121 Current amount* New amount |
| IS - Iceland Icelandic krona | 0.0189 | 70'500 74'100 | 800 800 | 5'000 5'300 | n.a. n.a. | n.a. n.a. | n.a. n.a. Current amount New amount |
| IT - Italy Euro | 1.6517 | 851 848 | 9 9 | n.a. n.a. | n.a. n.a. | n.a. n.a. | 129 121 Current amount* New amount |
| JP - Japan Japanese yen | 0.0102 | 138'200 137'000 | 1'500 1'500 | 9'900 9'800 | n.a. n.a. | 29'600 29'400 | 17'400 19'600 Current amount New amount |
| KR - Republic of Korea Korean won | 0.0013 | 1'096'000 1'099'000 | 12'000 12'000 | 78'000 79'000 | n.a. n.a. | 235'000 236'000 | 147'000 157'000 Current amount New amount |
| LU - Luxembourg Euro | 1.6517 | 851 848 | 9 9 | n.a. n.a. | n.a. n.a. | n.a. n.a. | 129 121 Current amount* New amount |
| MW - Malawi Malawian kwacha | 0.0084 | 134'700 166'800 | 1'400 1'800 | 9'600 11'900 | n.a. n.a. | n.a. n.a. | n.a. n.a. Current amount New amount |
| NL - Netherlands Euro | 1.6517 | 851 848 | 9 9 | 61 61 | 122 121 | 182 182 | 129 121 Current amount* New amount |
| NO - Norway Norwegian krone | 0.2124 | 7030 6'590 | 80 70 | 500 470 | n.a. n.a. | n.a. n.a. | n.a. n.a. Current amount New amount |
| NZ - New Zealand New Zealand dollar | 0.8765 | 1'479 1'597 | 16 17 | 106 114 | n.a. n.a. | n.a. n.a. | n.a. n.a. Current amount* New amount |
| PT - Portugal Euro | 1.6517 | 851 848 | 9 9 | 61 61 | n.a. n.a. | n.a. n.a. | 129 121 Current amount* New amount |
| SE - Sweden Swedish krona | 0.1800 | 7'950 7'780 | 90 80 | 570 560 | 1'140 1'110 | 1'700 1'670 | 1'210 1'110 Current amount New amount |
| SG - Singapore Singapore dollar | 0.7820 | 1'720 1'790 | 18 19 | 123 128 | n.a. n.a. | n.a. n.a. | n.a. n.a. Current amount New amount |
| US - United States of America US dollar | 1.1728 | 1'163 1'194 | 12 13 | 83 85 | 166 171 | n.a. n.a. | 155 171 Current amount*** New amount |
| ZA - South Africa South African rand | 0.1679 | 8'230 8'340 | 90 90 | 590 600 | n.a. n.a. | n.a. n.a. | n.a. n.a. Current amount New amount |

* Amounts applicable as from October 1, 2007 (except for the handling fee which remains unchanged since January 1, 2006).
*** Amounts applicable as from November 15, 2007.

Table 2 - PCT Fees: New equivalent amounts for search fees (in receiving Offices' currencies)
(applicable as from January 1, 2008)

| International Searching Authority Amount | Austrian Patent Office | | Austrian Patent Office | | Canadian Patent Office | | Chinese Patent Office | | European Patent Office | | Spanish Patent and Trademark Office | | National Board of Patents and Registration (Finland) | | Japan Patent Office | | Korean Intellectual Property Office | | Russian Patent Office | | Swedish Patent Office ¹ | | United States Patent and Trademark Office | | |
|---|------------------------|-------|------------------------|---------------------|------------------------|------------|-----------------------|------------|------------------------|------------|-------------------------------------|------------|--|------------|---------------------|------------|-------------------------------------|------------|-----------------------|------------|------------------------------------|------------|---|------------|------------|
| | EUR | 200 | AUD | 1600 | CAD | 1600 | CNY | 2100 | EUR | 1615 | EUR | 1615 | EUR | 1615 | JPY | 97000 | KRW | 225000 | USD | 500 | SEK | 15730 | USD | 1000 | 300 |
| Exchange rates applicable on 24.09.07 | Exch. rate | | Exch. rate | Exch. rate | Exch. rate | Exch. rate | Exch. rate | Exch. rate | Exch. rate | Exch. rate | Exch. rate | Exch. rate | Exch. rate | Exch. rate | Exch. rate | Exch. rate | Exch. rate | Exch. rate | Exch. rate | Exch. rate | Exch. rate | Exch. rate | Exch. rate | Exch. rate | Exch. rate |
| CHF - Swiss franc | 1.6517 | 311.2 | 1.0186 | 1563.2 ² | 1.1702 | 1872.3 | 0.1562 | 335.3 | 1.6517 | 2668.2 | 1.6517 | 2668.2 | 1.6517 | 2668.2 | 0.01021911 | 1042.2 | 0.00127339 | 280.2 | 1.1728 | 644.2 | 2668.2 | 1.1728 | 1216.3 | 387.2 | |
| USD - US dollar | 0.7101 | 282.2 | 1.1514 | 1372.2 ³ | 1.0022 | 1597.2 | 7.5085 | 280.2 | 0.7101 | 2274.2 | 0.7101 | 2274.2 | 0.7101 | 2274.2 | 114.7656 | 791.2 | 92.10050 | 287.2 | 1.1728 | 586.2 | 2197.2 | 1.1728 | 1173.3 | 352.2 | |
| EUR - Euro | | | 1.6215 | 962.2 | 1.4114 | 1112.2 | 10.5744 | 199.2 | 0.7101 | 2274.2 | 0.7101 | 2274.2 | 0.7101 | 2274.2 | 161.6274 | 616.2 | 1297.0762 | 173.2 | 1.4083 | 369.2 | 1615.2 | 1.4083 | 762.2 | 222.2 | |
| CYP - Cyprus pound | | | | | | | | | | | | | | | | | | | | | | | | | |
| DKK - Danish krone | | | | | | | | | | | | | | | | | | | | | | | | | |
| GBP - Pound sterling | | | | | | | | | | | | | | | | | | | | | | | | | |
| ISK - Icelandic krona | | | | | | | | | | | | | | | | | | | | | | | | | |
| JPY - Japanese yen | | | | | | | | | | | | | | | | | | | | | | | | | |
| KRW - Korean won | | | | | | | | | | | | | | | | | | | | | | | | | |
| MWK - Malawian kwacha | | | | | | | | | | | | | | | | | | | | | | | | | |
| NOK - Norwegian krone | | | | | | | | | | | | | | | | | | | | | | | | | |
| NZD - New Zealand dollar | | | | | | | | | | | | | | | | | | | | | | | | | |
| SEK - Swedish krona | | | | | | | | | | | | | | | | | | | | | | | | | |
| SGD - Singapore dollar | | | | | | | | | | | | | | | | | | | | | | | | | |
| ZAR - South African rand | | | | | | | | | | | | | | | | | | | | | | | | | |

1. All amounts appearing in this column with effect from January 1, 2008, to be fixed by the Swedish Patent Office, are included here for the purposes of completeness only.
 2. New equivalent amounts established for the purposes of fees payable to the International Bureau acting as receiving Office.
 3. Amount applicable as from October 1, 2007.
 4. New amount expected to be notified by the Swedish Patent Office and to be applicable as from January 1, 2008.
 5. Amount applicable as from October 15, 2007.
 6. Amount applicable as from November 1, 2007.



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

29 November 2007

Notices and Information of a General Character

| | Page |
|--|------|
| International Searching Authorities | |
| International Preliminary Examining Authorities | |
| ES Spain | 160 |
| Fees Payable under the PCT | |
| ES Spain | 160 |
| Furnishing by the International Bureau of Copies of the International Preliminary Examination Report: | |
| Notification by Elected Offices under PCT Rule 94.1(c) | |
| JP Japan | 161 |
| International Bureau | |
| Non-Working Days | 161 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

**INTERNATIONAL SEARCHING AUTHORITIES
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES**

ES Spain

Agreement between the Spanish Patent and Trademark Office and the International Bureau of the World Intellectual Property Organization¹ – Amendment to Annex C

The **Spanish Patent and Trademark Office** has notified the International Bureau, in accordance with Article 11(3)(ii) of the above-mentioned Agreement, of amendments to Part I of Annex C thereof. These amendments will enter into force on 1 January 2008. The amended Annex C will read as follows:

**“Annex C
Fees and Charges**

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (Euro) |
|---|--------------------------|
| Search fee (Rule 16.1(a)) | [No change] |
| Additional fee (Rule 40.2(a)) | [No change] |
| Preliminary examination fee (Rule 58.1(b)) | 544.44 |
| Additional fee (Rule 68.3(a)) | 544.44 |
| Cost of copies (Rules 44.3(b) and 71.2(b)): | |
| – national documents, per document | [No change] |
| – foreign documents, per document | [No change] |
| Cost of copies (Rule 94.2), per page | [No change] |

Part II. [No change]”

FEES PAYABLE UNDER THE PCT

ES Spain

The **Spanish Patent and Trademark Office** has notified new amounts of the preliminary examination fee (PCT Rule 58.1(b)) and of the additional fee (PCT Rule 68.3(a)) in **euro (EUR)**, payable to it as International Preliminary Examining Authority. These amounts, applicable from 1 January 2008, are EUR 544.44 for each of the fees.

[Updating of Annex E(ES) of the *PCT Applicant’s Guide*]

¹ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_es.pdf.

**FURNISHING BY THE INTERNATIONAL BUREAU OF COPIES OF THE
INTERNATIONAL PRELIMINARY EXAMINATION REPORT:
NOTIFICATION BY ELECTED OFFICES UNDER PCT RULE 94.1(c)**

JP Japan

Under PCT Rule 94.1(c), the **Japan Patent Office**, in its capacity as elected Office, has requested the International Bureau to furnish copies of the international preliminary examination report on its behalf, in accordance with PCT Rule 94.1(b).

INTERNATIONAL BUREAU

Non-Working Days

For the purposes of computing time limits under PCT Rule 80.5, it is to be noted that the days on which **the International Bureau will not be open for business** are, for the period from 1 January to 31 December 2008, the following:

all Saturdays and Sundays and
1 and 2 January 2008,
21 and 24 March 2008,
1 and 12 May 2008,
11 September 2008,
8, 25 and 26 December 2008.

It is important to note that the days indicated above concern **only the International Bureau** and **not** the national Offices and other international organizations.



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

6 December 2007

Notices and Information of a General Character

| | Page |
|--|------|
| Information on Contracting States and Intergovernmental Organizations | |
| NO/EP Norway/European Patent Organisation (EPO) | 163 |
| Meetings of the International Patent Cooperation Union – Assembly (Thirty-Sixth (16th Ordinary) Session) | |
| Note Prepared by the International Bureau | 163 |
| Amendments of the Regulations under the PCT (to enter into force on 1 July 2008) | 165 |
| Amendments of the Regulations under the PCT (to enter into force on 1 January 2009) | 170 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

INFORMATION ON CONTRACTING STATES AND INTERGOVERNMENTAL ORGANIZATIONS

NO Norway

EP European Patent Organisation (EPO)

Norway deposited, on 5 October 2007, its instrument of accession to the **European Patent Convention (EPC)** and will become bound by that Convention on 1 January 2008. Thus, as from 1 January 2008, it will be possible for applicants to designate Norway in their international applications also for the purposes of obtaining a European patent, and not only for the purposes of obtaining a national patent, as at present.

Moreover, as from 1 January 2008, nationals and residents of Norway will be able to file international applications with the European Patent Office as receiving Office, in addition to the Norwegian Patent Office or the International Bureau of WIPO.

[Updating of Annexes B1(NO), B2(EP) and C(EP) of the *PCT Applicant's Guide*]

MEETINGS OF THE INTERNATIONAL PATENT COOPERATION UNION – ASSEMBLY (THIRTY-SIXTH (16TH ORDINARY) SESSION)

NOTE PREPARED BY THE INTERNATIONAL BUREAU

A number of amendments to the PCT Regulations, as well as the texts of the Agreements between the International Bureau of WIPO and Offices appointed as International Searching and/or Preliminary Examining Authorities under the PCT, were approved by the Assembly of the International Patent Cooperation Union (PCT Union) during its thirty-sixth (16th ordinary) session, which was held in Geneva from 24 September to 3 October 2007 as part of the meetings of the Assemblies of the Member States of WIPO.

Documents which were prepared for the PCT Assembly, and which give detailed background information relating to the decisions that were taken, are available, and the report of the session will be available shortly, on the WIPO website at:

www.wipo.int/meetings/en/details.jsp?meeting_id=13306

The said amendments to the PCT Regulations will enter into force at two different times. The first set of amendments (set out on pages 165 to 169) will enter into force on 1 July 2008. The second set of amendments (set out on pages 170 to 177) will enter into force on 1 January 2009.

The amendments due to enter into force on 1 July 2008 provide for:

(i) the use, in carrying out the international search, of the results of an earlier search carried out by an International Searching Authority or any national Office other than the Office acting as International Searching Authority (Rules 4.1, 4.11, 4.12, 12*bis*, 16.3 and 41.1),

(ii) the authority, by receiving Offices, to extend the time period for the applicant to pay the fee for requesting restoration of the right of priority (Rule 26*bis*.3(d)),

(iii) the clarification that international publication can only be reliably prevented by way of an express withdrawal under Rule 90*bis*.1 received by the International Bureau prior to completion of technical preparations for international publication. The intention is to avoid applicants' reliance on Rule 29.1 to have the international application "considered withdrawn" by the receiving Office for any of the reasons outlined in the said Rule (failure to pay the required fees being the most common), disregarding the substantial risk that, where the declaration by the receiving Office that the application is considered withdrawn reaches the International Bureau only after completion of technical preparations for international publication, the international application will be published, despite the fact that it is considered withdrawn (Rule 29.1).

The amendments due to enter into force on 1 January 2009 provide for:

(i) a system of supplementary international searches within the PCT, whereby an applicant has the option to request, in addition to the "main" international search, one or more supplementary searches to be carried out by International Authorities other than the International Searching Authority that carries out the main international search (Rule 45*bis* and Schedule of Fees),

(ii) the inclusion of the Korean and Portuguese languages in the list of official languages of publication in the PCT Regulations (Rule 48.3(a)).

The Agreements referred to above will be the subject of later publication.

AMENDMENTS OF THE REGULATIONS UNDER THE PCT
(to enter into force on 1 July 2008)

Rule 4
The Request (Contents)

4.1 *Mandatory and Optional Contents; Signature*

(a) [No change]

(b) The request shall, where applicable, contain:

(i) [no change]

(ii) indications relating to an earlier search as provided in Rules 4.12(i) and 12bis.1(c) and (f),

(iii) and (iv) [no change]

(c) The request may contain:

(i) to (iv) [no change]

(v) a request for restoration of the right of priority,

(vi) a statement as provided in Rule 4.12(ii).

(d) [No change]

4.2 to 4.10 [No change]

4.11 *Reference to Continuation or Continuation-in-Part, or Parent Application or Grant*

(a) If:

(i) the applicant intends to make an indication under Rule 49bis.1(a) or (b) of the wish that the international application be treated, in any designated State, as an application for a patent of addition, certificate of addition, inventor's certificate of addition or utility certificate of addition; or

(ii) the applicant intends to make an indication under Rule 49bis.1(d) of the wish that the international application be treated, in any designated State, as an application for a continuation or a continuation-in-part of an earlier application;

the request shall so indicate and shall indicate the relevant parent application or parent patent or other parent grant.

(b) The inclusion in the request of an indication under paragraph (a) shall have no effect on the operation of Rule 4.9.

4.12 *Taking into Account Results of Earlier Search*

If the applicant wishes the International Searching Authority to take into account, in carrying out the international search, the results of an earlier international, international-type or national search carried out by the same or another International Searching Authority or by a national Office (“earlier search”):

(i) the request shall so indicate and shall specify the Authority or Office concerned and the application in respect of which the earlier search was carried out;

(ii) the request may, where applicable, contain a statement to the effect that the international application is the same, or substantially the same, as the application in respect of which the earlier search was carried out, or that the international application is the same, or substantially the same, as that earlier application except that it is filed in a different language.

4.13 and 4.14 *[Remain deleted]*

4.14bis to 4.19 *[No change]*

Rule 12bis
Copy of Results of Earlier Search
and of Earlier Application; Translation

12bis.1 Copy of Results of Earlier Search and of Earlier Application; Translation

(a) Where the applicant has, under Rule 4.12, requested the International Searching Authority to take into account the results of an earlier search carried out by the same or another International Searching Authority or by a national Office, the applicant shall, subject to paragraphs (c) to (f), submit to the receiving Office, together with the international application, a copy of the results of the earlier search, in whatever form (for example, in the form of a search report, a listing of cited prior art or an examination report) they are presented by the Authority or Office concerned.

(b) The International Searching Authority may, subject to paragraphs (c) to (f), invite the applicant to furnish to it, within a time limit which shall be reasonable under the circumstances:

(i) a copy of the earlier application concerned;

(ii) where the earlier application is in a language which is not accepted by the International Searching Authority, a translation of the earlier application into a language which is accepted by that Authority;

(iii) where the results of the earlier search are in a language which is not accepted by the International Searching Authority, a translation of those results into a language which is accepted by that Authority;

(iv) a copy of any document cited in the results of the earlier search.

(c) Where the earlier search was carried out by the same Office as that which is acting as the receiving Office, the applicant may, instead of submitting the copies referred to in paragraphs (a) and (b)(i) and (iv), indicate the wish that the receiving Office prepare and transmit them to the International Searching Authority. Such request shall be made in the request and may be subjected by the receiving Office to the payment to it, for its own benefit, of a fee.

(d) Where the earlier search was carried out by the same International Searching Authority, or by the same Office as that which is acting as the International Searching Authority, no copy or translation referred to in paragraphs (a) and (b) shall be required to be submitted under those paragraphs.

(e) Where the request contains a statement under Rule 4.12(ii) to the effect that the international application is the same, or substantially the same, as the application in respect of which the earlier search was carried out, or that the international application is the same, or substantially the same, as that earlier application except that it is filed in a different language, no copy or translation referred to in paragraphs (b)(i) and (ii) shall be required to be submitted under those paragraphs.

(f) Where a copy or translation referred to in paragraphs (a) and (b) is available to the International Searching Authority in a form and manner acceptable to it, for example, from a digital library or in the form of the priority document, and the applicant so indicates in the request, no copy or translation shall be required to be submitted under those paragraphs.

Rule 16 **The Search Fee**

16.1 and 16.2 [No change]

16.3 Partial Refund

Where the International Searching Authority takes into account, under Rule 41.1, the results of an earlier search in carrying out the international search, that Authority shall refund the search fee paid in connection with the international application to the extent and under the conditions provided for in the agreement under Article 16(3)(b).

Rule 26bis **Correction or Addition of Priority Claim**

26bis.1 and 26bis.2 [No change]

26bis.3 Restoration of Right of Priority by Receiving Office

(a) to (c) [No change]

(d) The submission of a request under paragraph (a) may be subjected by the receiving Office to the payment to it, for its own benefit, of a fee for requesting restoration, payable within the time limit applicable under paragraph (e). The amount of that fee, if any, shall be fixed by the receiving Office. The time limit for payment of the fee may be extended, at the option of the receiving Office, for a period of up to two months from the expiration of the time limit applicable under paragraph (e).

(e) to (j) [No change]

Rule 29 **International Applications Considered Withdrawn**

29.1 Finding by Receiving Office

If the receiving Office declares, under Article 14(1)(b) and Rule 26.5 (failure to correct certain defects), or under Article 14(3)(a) (failure to pay the prescribed fees under Rule 27.1(a)), or under Article 14(4) (later finding of non-compliance with the requirements listed in items (i) to (iii) of Article 11(1)), or under Rule 12.3(d) or 12.4(d) (failure to furnish a required translation or, where applicable, to pay a late furnishing fee), or under Rule 92.4(g)(i) (failure to furnish the original of a document), that the international application is considered withdrawn:

(i) to (iii) [no change]

(iv) the International Bureau shall not be required to notify the applicant of the receipt of the record copy;

(v) no international publication of the international application shall be effected if the notification of the said declaration transmitted by the receiving Office reaches the International Bureau before the technical preparations for international publication have been completed.

29.2 [Remains deleted]

29.3 and 29.4 [No change]

Rule 41 **Taking into Account Results of Earlier Search**

41.1 Taking into Account Results of Earlier Search

Where the applicant has, under Rule 4.12, requested the International Searching Authority to take into account the results of an earlier search and has complied with Rule 12*bis*.1 and:

(i) the earlier search was carried out by the same International Searching Authority, or by the same Office as that which is acting as the International Searching

Authority, the International Searching Authority shall, to the extent possible, take those results into account in carrying out the international search;

(ii) the earlier search was carried out by another International Searching Authority, or by an Office other than that which is acting as the International Searching Authority, the International Searching Authority may take those results into account in carrying out the international search.

AMENDMENTS OF THE REGULATIONS UNDER THE PCT
(to enter into force on 1 January 2009)

Rule 45bis
Supplementary International Searches

45bis.1 Supplementary Search Request

(a) The applicant may, at any time prior to the expiration of 19 months from the priority date, request that a supplementary international search be carried out in respect of the international application by an International Searching Authority that is competent to do so under Rule 45bis.9. Such requests may be made in respect of more than one such Authority.

(b) A request under paragraph (a) (“supplementary search request”) shall be submitted to the International Bureau and shall indicate:

(i) the name and address of the applicant and of the agent (if any), the title of the invention, the international filing date and the international application number;

(ii) the International Searching Authority that is requested to carry out the supplementary international search (“Authority specified for supplementary search”); and

(iii) where the international application was filed in a language which is not accepted by that Authority, whether any translation furnished to the receiving Office under Rule 12.3 or 12.4 is to form the basis of the supplementary international search.

(c) The supplementary search request shall, where applicable, be accompanied by:

(i) where neither the language in which the international application was filed nor that in which a translation (if any) has been furnished under Rule 12.3 or 12.4 is accepted by the Authority specified for supplementary search, a translation of the international application into a language which is accepted by that Authority;

(ii) preferably, a copy of a sequence listing in electronic form complying with the standard provided for in the Administrative Instructions, if required by the Authority specified for supplementary search.

(d) Where the International Searching Authority has found that the international application does not comply with the requirement of unity of invention, the supplementary search request may contain an indication of the wish of the applicant to limit the supplementary international search to one of the inventions as identified by the International Searching Authority other than the main invention referred to in Article 17(3)(a).

(e) The supplementary search request shall be considered not to have been submitted, and the International Bureau shall so declare:

(i) if it is received after the expiration of the time limit referred to in paragraph (a); or

(ii) if the Authority specified for supplementary search has not stated, in the applicable agreement under Article 16(3)(b), its preparedness to carry out such searches or is not competent to do so under Rule 45bis.9(b).

45bis.2 Supplementary Search Handling Fee

(a) The supplementary search request shall be subject to the payment of a fee for the benefit of the International Bureau (“supplementary search handling fee”) as set out in the Schedule of Fees.

(b) The supplementary search handling fee shall be paid in the currency in which the fee is set out in the Schedule of Fees or in any other currency prescribed by the International Bureau. The amount in such other currency shall be the equivalent, in round figures, as established by the International Bureau, of the amount as set out in the Schedule of Fees, and shall be published in the Gazette.

(c) The supplementary search handling fee shall be paid to the International Bureau within one month from the date of receipt of the supplementary search request. The amount payable shall be the amount applicable on the date of payment.

(d) The International Bureau shall refund the supplementary search handling fee to the applicant if, before the documents referred to in Rule 45bis.4(e)(i) to (iv) are transmitted to the Authority specified for supplementary search, the supplementary search request is withdrawn or considered not to have been submitted.

45bis.3 Supplementary Search Fee

(a) Each International Searching Authority carrying out supplementary international searches may require that the applicant pay a fee (“supplementary search fee”) for its own benefit for carrying out such a search.

(b) The supplementary search fee shall be collected by the International Bureau. Rules 16.1(b) to (e) shall apply *mutatis mutandis*.

(c) As to the time limit for payment of the supplementary search fee and the amount payable, the provisions of Rule 45bis.2(c) shall apply *mutatis mutandis*.

(d) The International Bureau shall refund the supplementary search fee to the applicant if, before the documents referred to in Rule 45bis.4(e)(i) to (iv) are transmitted to the Authority specified for supplementary search, the supplementary search request is withdrawn or considered not to have been submitted.

(e) The Authority specified for supplementary search shall, to the extent and under the conditions provided for in the applicable agreement under Article 16(3)(b), refund the supplementary search fee if, before it has started the supplementary international search in accordance with Rule 45bis.5(a), the supplementary search request is considered not to have been submitted.

45bis.4 Checking of Supplementary Search Request; Correction of Defects; Late Payment of Fees; Transmittal to International Searching Authority

(a) Promptly after receipt of a supplementary search request, the International Bureau shall check whether it complies with the requirements of Rule 45bis.1(b) and (c)(i) and shall invite the applicant to correct any defects within a time limit of one month from the date of the invitation.

(b) Where, by the time they are due under Rules 45bis.2(c) and 45bis.3(c), the International Bureau finds that the supplementary search handling fee and the supplementary search fee have not been paid in full, it shall invite the applicant to pay to it the amount required to cover those fees, together with the late payment fee under paragraph (c), within a time limit of one month from the date of the invitation.

(c) The payment of fees in response to an invitation under paragraph (b) shall be subject to the payment to the International Bureau, for its own benefit, of a late payment fee whose amount shall be 50% of the supplementary search handling fee.

(d) If the applicant does not furnish the required correction or does not pay the amount in full of the fees due, including the late payment fee, before the expiration of the time limit applicable under paragraph (a) or (b), respectively, the supplementary search request shall be considered not to have been submitted and the International Bureau shall so declare and shall inform the applicant accordingly.

(e) On finding that the requirements of Rule 45bis.1(b) and (c)(i), 45bis.2(c) and 45bis.3(c) have been complied with, the International Bureau shall promptly, but not before the date of receipt by it of the international search report or the expiration of 17 months from the priority date, whichever occurs first, transmit to the Authority specified for supplementary search a copy of each of the following:

- (i) the supplementary search request;
- (ii) the international application;
- (iii) any sequence listing furnished under Rule 45bis.1(c)(ii); and
- (iv) any translation furnished under Rule 12.3, 12.4 or 45bis.1(c)(i) which is to be used as the basis of the supplementary international search;

and, at the same time, or promptly after their later receipt by the International Bureau:

- (v) the international search report and the written opinion established under Rule 43bis.1;
- (vi) any invitation by the International Searching Authority to pay additional fees referred to in Article 17(3)(a); and
- (vii) any protest by the applicant under Rule 40.2(c) and the decision thereon by the review body constituted in the framework of the International Searching Authority.

(f) Upon request of the Authority specified for supplementary search, the written opinion referred to in paragraph (e)(v) shall, when not in English or in a language accepted by that Authority, be translated into English by or under the responsibility of the International Bureau. The International Bureau shall transmit a copy of the translation to that Authority within two months from the date of receipt of the request for translation, and shall at the same time transmit a copy to the applicant.

45bis.5 Start, Basis and Scope of Supplementary International Search

(a) The Authority specified for supplementary search shall start the supplementary international search promptly after receipt of the documents specified in Rule 45bis.4(e)(i) to (iv), provided that the Authority may, at its option, delay the start of the search until it has also received the documents specified in Rule 45bis.4(e)(v) or until the expiration of 22 months from the priority date, whichever occurs first.

(b) The supplementary international search shall be carried out on the basis of the international application as filed or of a translation referred to in Rule 45bis.1(b)(iii) or 45bis.1(c)(i), taking due account of the international search report and the written opinion established under Rule 43bis.1 where they are available to the Authority specified for supplementary search before it starts the search. Where the supplementary search request contains an indication under Rule 45bis.1(d), the supplementary international search may be limited to the invention specified by the applicant under Rule 45bis.1(d) and those parts of the international application which relate to that invention.

(c) For the purposes of the supplementary international search, Article 17(2) and Rules 13ter.1, 33 and 39 shall apply *mutatis mutandis*.

(d) Where the international search report is available to the Authority specified for supplementary search before it starts the search under paragraph (a), that Authority may exclude from the supplementary search any claims which were not the subject of the international search.

(e) Where the International Searching Authority has made the declaration referred to in Article 17(2)(a) and that declaration is available to the Authority specified for supplementary search before it starts the search under paragraph (a), that Authority may decide not to establish a supplementary international search report, in which case it shall so declare and promptly notify the applicant and the International Bureau accordingly.

(f) The supplementary international search shall cover at least the documentation indicated for that purpose in the applicable agreement under Article 16(3)(b).

(g) If the Authority specified for supplementary search finds that carrying out the search is excluded by a limitation or condition referred to in Rule 45bis.9(a), the supplementary search request shall be considered not to have been submitted, and the Authority shall so declare and shall promptly notify the applicant and the International Bureau accordingly.

45bis.6 *Unity of Invention*

(a) If the Authority specified for supplementary search finds that the international application does not comply with the requirement of unity of invention, it shall:

(i) establish the supplementary international search report on those parts of the international application which relate to the invention first mentioned in the claims (“main invention”);

(ii) notify the applicant of its opinion that the international application does not comply with the requirement of unity of invention and specify the reasons for that opinion; and

(iii) inform the applicant of the possibility of requesting, within the time limit referred to in paragraph (c), a review of the opinion.

(b) In considering whether the international application complies with the requirement of unity of invention, the Authority shall take due account of any documents received by it under Rule 45bis.4(e)(vi) and (vii) before it starts the supplementary international search.

(c) The applicant may, within one month from the date of the notification under paragraph (a)(ii), request the Authority to review the opinion referred to in paragraph (a). The request for review may be subjected by the Authority to the payment to it, for its own benefit, of a review fee whose amount shall be fixed by it.

(d) If the applicant, within the time limit under paragraph (c), requests a review of the opinion by the Authority and pays any required review fee, the opinion shall be reviewed by the Authority. The review shall not be carried out only by the person who made the decision which is the subject of the review. Where the Authority:

(i) finds that the opinion was entirely justified, it shall notify the applicant accordingly;

(ii) finds that the opinion was partially unjustified but still considers that the international application does not comply with the requirement of unity of invention, it shall notify the applicant accordingly and, where necessary, proceed as provided for in paragraph (a)(i);

(iii) finds that the opinion was entirely unjustified, it shall notify the applicant accordingly, establish the supplementary international search report on all parts of the international application and refund the review fee to the applicant.

(e) On the request of the applicant, the text of both the request for review and the decision thereon shall be communicated to the designated Offices together with the supplementary international search report. The applicant shall submit any translation thereof with the furnishing of the translation of the international application required under Article 22.

(f) Paragraphs (a) to (e) shall apply *mutatis mutandis* where the Authority specified for supplementary search decides to limit the supplementary international search in accordance

with the second sentence of Rule 45bis.5(b), provided that any reference in the said paragraphs to the “international application” shall be construed as a reference to those parts of the international application which relate to the invention specified by the applicant under Rule 45bis.1(d).

45bis.7 Supplementary International Search Report

(a) The Authority specified for supplementary search shall, within 28 months from the priority date, establish the supplementary international search report, or make the declaration referred to in Article 17(2)(a) as applicable by virtue of Rule 45bis.5(c) that no supplementary international search report will be established.

(b) Every supplementary international search report, any declaration referred to in Article 17(2)(a) as applicable by virtue of Rule 45bis.5(c) and any declaration under Rule 45bis.5(e) shall be in a language of publication.

(c) For the purposes of establishing the supplementary international search report, Rules 43.1, 43.2, 43.5, 43.6, 43.6bis, 43.8 and 43.10 shall, subject to paragraphs (d) and (e), apply *mutatis mutandis*. Rule 43.9 shall apply *mutatis mutandis*, except that the references therein to Rules 43.3, 43.7 and 44.2 shall be considered non-existent. Article 20(3) and Rule 44.3 shall apply *mutatis mutandis*.

(d) The supplementary international search report need not contain the citation of any document cited in the international search report, except where the document needs to be cited in conjunction with other documents that were not cited in the international search report.

(e) The supplementary international search report may contain explanations:

- (i) with regard to the citations of the documents considered to be relevant;
- (ii) with regard to the scope of the supplementary international search.

45bis.8 Transmittal and Effect of the Supplementary International Search Report

(a) The Authority specified for supplementary search shall, on the same day, transmit one copy of the supplementary international search report or the declaration that no supplementary international search report shall be established, as applicable, to the International Bureau and one copy to the applicant.

(b) Subject to paragraph (c), Article 20(1) and Rules 45.1, 47.1(d) and 70.7(a) shall apply as if the supplementary international search report were part of the international search report.

(c) A supplementary international search report need not be taken into account by the International Preliminary Examining Authority for the purposes of a written opinion or the international preliminary examination report if it is received by that Authority after it has begun to draw up that opinion or report.

45bis.9 International Searching Authorities Competent to Carry Out Supplementary International Search

(a) An International Searching Authority shall be competent to carry out supplementary international searches if its preparedness to do so is stated in the applicable agreement under Article 16(3)(b), subject to any limitations and conditions set out in that agreement.

(b) The International Searching Authority carrying out the international search under Article 16(1) in respect of an international application shall not be competent to carry out a supplementary international search in respect of that application.

(c) The limitations referred to in paragraph (a) may, for example, include limitations as to the subject matter for which supplementary international searches will be carried out, beyond those which would apply under Article 17(2) to the international search, and limitations as to the total number of supplementary international searches which will be carried out in a given period.

Rule 48
International Publication

48.1 and 48.2 [No change]

48.3 Languages of Publication

(a) If the international application is filed in Arabic, Chinese, English, French, German, Japanese, Korean, Portuguese, Russian or Spanish (“languages of publication”), that application shall be published in the language in which it was filed.

(b) and (c) [No change]

48.4 to 48.6 [No change]

SCHEDULE OF FEES

| Fees | Amounts |
|--|---|
| 1. International filing fee: (Rule 15.2) | 1,400 Swiss francs plus 15 Swiss francs for each sheet of the international application in excess of 30 sheets |
| 2. Supplementary search handling fee: (Rule 45 <i>bis</i> .2) | 200 Swiss francs |
| 3. Handling fee: (Rule 57.2) | 200 Swiss francs |

Reductions

4. The international filing fee is reduced by the following amount if the international application is, as provided for in the Administrative Instructions, filed:
- | | |
|---|------------------|
| (a) on paper together with a copy in electronic form, in character coded format, of the request and the abstract: | 100 Swiss francs |
| (b) in electronic form, the request not being in character coded format: | 100 Swiss francs |
| (c) in electronic form, the request being in character coded format: | 200 Swiss francs |
| (d) in electronic form, the request, description, claims and abstract being in character coded format: | 300 Swiss francs |
5. The international filing fee under item 1 (where applicable, as reduced under item 4), the supplementary search handling fee under item 2 and the handling fee under item 3 are reduced by 75% if the international application is filed by:
- | | |
|--|--|
| (a) an applicant who is a natural person and who is a national of and resides in a State whose per capita national income is below US\$3,000 (according to the average per capita national income figures used by the United Nations for determining its scale of assessments for the contributions payable for the years 1995, 1996 and 1997); or | |
| (b) an applicant, whether a natural person or not, who is a national of and resides in a State that is classed as a least developed country by the United Nations; | |

provided that, if there are several applicants, each must satisfy the criteria set out in either sub-item (a) or (b).

INFORMATION ON CONTRACTING STATES AND INTERGOVERNMENTAL ORGANIZATIONS

HR Croatia

EP European Patent Organisation (EPO)

Croatia deposited, on 31 October 2007, its instrument of accession to the **European Patent Convention (EPC)** and will become bound by that Convention on 1 January 2008. Thus, as from 1 January 2008, it will be possible for applicants to designate Croatia in their international applications also for the purposes of obtaining a European patent, and not only for the purposes of obtaining a national patent, as at present.

Moreover, as from 1 January 2008, nationals and residents of Croatia will be able to file international applications with the European Patent Office as receiving Office, in addition to the State Intellectual Property Office (Croatia) or the International Bureau of WIPO.

[Updating of Annexes B1(HR), B2(EP) and C(EP) of the *PCT Applicant's Guide*]

FEES PAYABLE UNDER THE PCT

IL Israel

The **Israel Patent Office** has notified new amounts of fees, in **new Israel shekels (ILS)**, payable to it as receiving Office (transmittal fee) and as designated (or elected) Office (national filing fee). These amounts, applicable from 1 January 2008, are ILS 490 and ILS 940, respectively.

[Updating of Annex C(IL) and of the National Chapter, Summary (IL) of the *PCT Applicant's Guide*]

MEETINGS OF THE INTERNATIONAL PATENT COOPERATION UNION – ASSEMBLY (THIRTY-SIXTH (16TH ORDINARY) SESSION)

NOTE PREPARED BY THE INTERNATIONAL BUREAU

In addition to the amendments to the PCT Regulations published in Official Notices (PCT Gazette) of 6 December 2007, pages 163 *et seq.*, the Assembly of the PCT Union approved at its thirty-sixth (16th ordinary) session, held in Geneva from 24 September to 3 October 2007, in accordance with PCT Articles 16(3)(b) and 32(3), the texts of the Agreements between the International Bureau of WIPO and 15 Offices which were appointed, or the appointments of which were extended, as International Searching and/or Preliminary Examining Authorities under the PCT, i.e., the Offices of the following States and Organization and the following Institute:

| | |
|----|------------------------------|
| AT | Austria |
| AU | Australia |
| BR | Brazil |
| CA | Canada |
| CN | People's Republic of China |
| EP | European Patent Organisation |
| ES | Spain |
| FI | Finland |
| IN | India |
| JP | Japan |
| KR | Republic of Korea |
| RU | Russian Federation |
| SE | Sweden |
| US | United States of America |
| XN | Nordic Patent Institute |

The new Agreements will enter into force on 1 January 2008, subject to the following exceptions:

(i) the Government of Australia was not able to complete the necessary domestic legal and constitutional procedures to ratify a new Agreement in relation to the functioning of the Australian Patent Office as International Searching and Preliminary Examining Authority under the PCT as from 1 January 2008. For this reason, the said Government and the International Bureau concluded an interim Agreement providing that the Agreement currently in force should be extended until 31 December 2008 or until the day before the entry into force of the new Agreement on the same subject matter, which was also approved by the PCT Assembly;

(ii) the date of entry into force of the Agreement between the Brazilian National Institute of Industrial Property and the International Bureau depends on the receipt of a notification from the Institute informing the International Bureau that it is ready to begin operation as an International Searching and Preliminary Examining Authority;

(iii) the Agreement between the European Patent Organisation and the International Bureau enters into force on 13 December 2007;

(iv) the date of entry into force of the Agreement between the Government of India and the International Bureau depends on the receipt of a notification from the Indian Patent Office informing the International Bureau that it is ready to begin operation as an International Searching and Preliminary Examining Authority.

The new Agreements, with the exception of the interim Agreement between the Australian Patent Office and the International Bureau, are effective until 31 December 2017, consistent with the periods for which the appointments were made.

The texts of the Agreements, including any amendments made since they were concluded, are reproduced on the following pages in the alphabetical order of the two-letter codes relating to the Offices concerned.

AGREEMENT
BETWEEN THE FEDERAL MINISTER OF TRANSPORT, INNOVATION
AND TECHNOLOGY OF THE REPUBLIC OF AUSTRIA
AND THE INTERNATIONAL BUREAU
OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION

in relation to the functioning of the Austrian Patent Office
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

Preamble

The Federal Minister of Transport, Innovation and Technology of the Republic of Austria and the International Bureau of the World Intellectual Property Organization,

Considering that the PCT Assembly, having heard the advice of the PCT Committee for Technical Cooperation, has appointed the Austrian Patent Office as an International Searching and Preliminary Examining Authority under the Patent Cooperation Treaty and approved this Agreement in accordance with Articles 16(3) and 32(3),

Hereby agree as follows:

Article 1
Terms and Expressions

- (1) For the purposes of this Agreement:
- (a) “Treaty” means the Patent Cooperation Treaty;
 - (b) “Regulations” means the Regulations under the Treaty;
 - (c) “Administrative Instructions” means the Administrative Instructions under the Treaty;
 - (d) “Article” (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
 - (e) “Rule” means a Rule of the Regulations;
 - (f) “Contracting State” means a State party to the Treaty;
 - (g) “the Authority” means the Austrian Patent Office;
 - (h) “the International Bureau” means the International Bureau of the World Intellectual Property Organization.

(2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2

Basic Obligations

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching Authority and International Preliminary Examining Authority as are provided under, the Treaty, the Regulations, the Administrative Instructions and this Agreement.

(2) In carrying out international search and international preliminary examination, the Authority shall apply and observe all the common rules of international search and of international preliminary examination and, in particular, shall be guided by the PCT International Search and Preliminary Examination Guidelines.

(3) The Authority shall maintain a quality management system in compliance with the requirements set out in the PCT International Search and Preliminary Examination Guidelines.

(4) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent considered to be appropriate by both the Authority and the International Bureau, mutual assistance in the performance of their functions thereunder.

Article 3

Competence of Authority

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(3) Where an international application is filed with the International Bureau as receiving Office under Rule 19.1(a)(iii), paragraphs (1) and (2) apply as if that application had been filed with a receiving Office which would have been competent under Rule 19.1(a)(i) or (ii), (b) or (c) or Rule 19.2(i).

Article 4
Subject Matter Not Required to Be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter specified in Annex B to this Agreement.

Article 5
Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, is set out in Annex C to this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement:

- (i) refund the whole or part of the search fee paid, or waive or reduce the search fee, where the international search report can be wholly or partly based on the results of an earlier search (Rules 16.3 and 41.1);
- (ii) refund the search fee where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement, refund the whole or part of the preliminary examination fee paid where the demand is considered as if it had not been submitted (Rule 58.3) or where the demand or the international application is withdrawn by the applicant before the start of the international preliminary examination.

Article 6
Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate solely the International Patent Classification.

Article 7
Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, other than with the International Bureau, the Authority shall use the language or one of the languages indicated, having regard to the language or languages indicated in Annex A and to the language or languages whose use is authorized by the Authority under Rule 92.2(b), in Annex D.

Article 8
International-Type Search

The Authority shall carry out international-type searches to the extent decided by it.

Article 9
Entry into Force

This Agreement shall enter into force on January 1, 2008.

Article 10
Duration and Renewability

This Agreement shall remain in force until December 31, 2017. The parties to this Agreement shall, no later than July 2016, start negotiations for its renewal.

Article 11
Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes to this Agreement by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(3) The Authority may, by a notification to the Director General of the World Intellectual Property Organization:

- (i) add to the indications of States and languages contained in Annex A to this Agreement;
- (ii) amend the schedule of fees and charges contained in Annex C to this Agreement;
- (iii) amend the indications of languages of correspondence contained in Annex D to this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any increase of fees or charges contained in Annex C, that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2017:

- (i) if the Federal Minister of Transport, Innovation and Technology of the Republic of Austria gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

- (ii) if the Director General of the World Intellectual Property Organization gives the Federal Minister of Transport, Innovation and Technology of the Republic of Austria written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

In witness whereof the parties hereto have executed this Agreement.

Done at [city], this [date], in two originals in the English and German languages, each text being equally authentic.

For the Federal Minister of Transport,
Innovation and Technology of the Republic
of Austria by:

For the International Bureau by:

[signature]

[signature]

Annex A States and Languages

Under Article 3 of the Agreement, the Authority specifies:

- (i) the following States for which it will act:
the States regarded as developing countries in conformity with the established practice of the General Assembly of the United Nations, provided that the Republic of Austria, in accordance with its obligations undertaken within the framework of the European Patent Organisation, has concluded with those States an agreement for that purpose;
- (ii) the following languages which it will accept:
English, French, German.

Annex B Subject Matter Not Excluded from Search or Examination

The subject matter set forth in Rule 39.1 or 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

all subject matter searched or examined under the national patent grant procedure under the provisions of the Austrian Patent Law.

Annex C
Fees and Charges

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (Euro) |
|--|--------------------------|
| Search fee (Rule 16.1(a)) | 200 |
| Additional fee (Rule 40.2(a)) | 200 |
| Preliminary examination fee (Rule 58.1(b)) | 200 |
| Additional fee (Rule 68.3(a)) | 200 |
| Protest fee (Rules 40.2(e) and 68.3(e)) | 220 |
| Cost of copies (Rules 44.3(b), 71.2(b) and 94.2), per page | 0.95 |

Part II. Conditions for and Extent of Refunds or Reductions of Fees

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the international application is withdrawn or considered withdrawn, under Article 14(1), (3) or (4), before the start of the international search, the amount of the search fee paid shall be fully refunded.

(3) Where the Authority benefits from an earlier search to the full extent or to a substantially prevailing portion, 75% of the search fee shall be refunded.

(4) In the cases provided for under Rule 58.3, the amount of the preliminary examination fee paid shall be fully refunded.

(5) Where the international application or the demand is withdrawn before the start of the international preliminary examination, the amount of the preliminary examination fee paid shall be fully refunded.

Annex D
Languages of Correspondence

Under Article 7 of the Agreement, the Authority specifies the following languages:

English, French and German, noting that the language of correspondence shall be the language in which the international application is filed or translated, as the case may be.

EXTENSION OF THE AGREEMENT
BETWEEN THE GOVERNMENT OF AUSTRALIA
AND THE INTERNATIONAL BUREAU
OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION

in relation to the functioning of the Australian Patent Office
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

Preamble

The Government of Australia and the International Bureau of the World Intellectual Property Organization,

Considering that the Agreement of December 7, 1997, under Articles 16(3)(b) and 32(3) of the Patent Cooperation Treaty in relation to the functioning of the Australian Patent Office as an International Searching Authority and International Preliminary Examining Authority under the Patent Cooperation Treaty was concluded for a period of 10 years from January 1, 1998 to December 31, 2007,

Considering that the said Agreement has been amended several times in 2001, 2002, 2003 and 2007, all these amendments having been published in PCT Gazette Nos. 04/2001, 33/2002, 49/2003 and 1 February 2007, respectively,

Considering that the Government of Australia and the International Bureau of WIPO have already started negotiations for the renewal of a new Agreement as provided under Article 10 therein,

Aware that the Government of Australia will not be able to complete the necessary domestic procedures to ratify a new Agreement in relation to the functioning of the Australian Patent Office as an International Searching Authority and International Preliminary Examining Authority under the Patent Cooperation Treaty, as from January 1, 2008,

Hereby agree as follows:

Article 1
Extension of the Agreement

(1) The Agreement between the Government of Australia and the International Bureau of the World Intellectual Property Organization signed on December 4, 1997, including its amendments and Annexes, in relation to the functioning of the Australian Patent Office as an International Searching Authority and International Preliminary Examining Authority under the Patent Cooperation Treaty, is hereby extended until December 31, 2008 or until the day before the entry into force of a new Agreement on the same subject matter in accordance with PCT Articles 16(3)(b) and 32(3) and with the domestic legal and constitutional procedures of Australia, whichever is sooner.

(2) Consequently, the reference made to “December 31, 2007” under Articles 10 and 12 of the Agreement referred to above is amended, accordingly.

Article 2
Approval and entry into force

(1) According to Article 11 of the Agreement referred to above, this amendment shall be subject to the approval of the Assembly of the International Patent Cooperation Union.

(2) Without prejudice to the above, this amendment shall take effect on December 31, 2007.

In witness whereof the parties hereto have executed this Agreement.

Done at [city], this [date], in two originals in the English language.

For the Government of Australia by:

For the International Bureau by:

[signature]

[signature]

AGREEMENT
BETWEEN THE GOVERNMENT OF AUSTRALIA
AND THE INTERNATIONAL BUREAU
OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION

in relation to the functioning of the Australian Patent Office
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

Preamble

The Government of Australia and the International Bureau of the World Intellectual Property Organization,

Considering that the PCT Assembly, having heard the advice of the PCT Committee for Technical Cooperation, has appointed the Australian Patent Office as an International Searching and Preliminary Examining Authority under the Patent Cooperation Treaty and approved this Agreement in accordance with Articles 16(3) and 32(3),

Hereby agree as follows:

Article 1
Terms and Expressions

- (1) For the purposes of this Agreement:
 - (a) “Treaty” means the Patent Cooperation Treaty;
 - (b) “Regulations” means the Regulations under the Treaty;
 - (c) “Administrative Instructions” means the Administrative Instructions under the Treaty;
 - (d) “Article” (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
 - (e) “Rule” means a Rule of the Regulations;
 - (f) “Contracting State” means a State party to the Treaty;
 - (g) “the Authority” means the Australian Patent Office;
 - (h) “the International Bureau” means the International Bureau of the World Intellectual Property Organization.

(2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2

Basic Obligations

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching Authority and International Preliminary Examining Authority as are provided under, the Treaty, the Regulations, the Administrative Instructions and this Agreement.

(2) In carrying out international search and international preliminary examination, the Authority shall apply and observe all the common rules of international search and of international preliminary examination and, in particular, shall be guided by the PCT International Search and Preliminary Examination Guidelines.

(3) The Authority shall maintain a quality management system in compliance with the requirements set out in the PCT International Search and Preliminary Examination Guidelines.

(4) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent considered to be appropriate by both the Authority and the International Bureau, mutual assistance in the performance of their functions thereunder.

Article 3

Competence of Authority

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(3) Where an international application is filed with the International Bureau as receiving Office under Rule 19.1(a)(iii), paragraphs (1) and (2) apply as if that application had been filed with a receiving Office which would have been competent under Rule 19.1(a)(i) or (ii), (b) or (c) or Rule 19.2(i).

Article 4
Subject Matter Not Required to Be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter specified in Annex B to this Agreement.

Article 5
Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, is set out in Annex C to this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement:

- (i) refund the whole or part of the search fee paid, or waive or reduce the search fee, where the international search report can be wholly or partly based on the results of an earlier search (Rules 16.3 and 41.1);
- (ii) refund the search fee where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement, refund the whole or part of the preliminary examination fee paid where the demand is considered as if it had not been submitted (Rule 58.3) or where the demand or the international application is withdrawn by the applicant before the start of the international preliminary examination.

Article 6
Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate solely the International Patent Classification.

Article 7
Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, other than with the International Bureau, the Authority shall use the language or one of the languages indicated, having regard to the language or languages indicated in Annex A and to the language or languages whose use is authorized by the Authority under Rule 92.2(b), in Annex D.

Article 8
International-Type Search

The Authority shall carry out international-type searches to the extent decided by it.

Article 9
Entry into Force

This Agreement shall enter into force on [date].

Article 10
Duration and Renewability

This Agreement shall remain in force until December 31, 2017. The parties to this Agreement shall, no later than July 2016, start negotiations for its renewal.

Article 11
Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes to this Agreement by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(3) The Authority may, by a notification to the Director General of the World Intellectual Property Organization:

- (i) add to the indications of States and languages contained in Annex A to this Agreement;
- (ii) amend the schedule of fees and charges contained in Annex C to this Agreement;
- (iii) amend the indications of languages of correspondence contained in Annex D to this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any increase of fees or charges contained in Annex C, that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 12
Termination

- (1) This Agreement shall terminate before December 31, 2017:
- (i) if the Government of Australia gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement;
or
 - (ii) if the Director General of the World Intellectual Property Organization gives the Government of Australia written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

In witness whereof the parties hereto have executed this Agreement.

Done at [city], this [date], in two originals in the English language.

For the Government of Australia by:

For the International Bureau by:

[signature]

[signature]

Annex A
States and Languages

Under Article 3 of the Agreement, the Authority specifies:

- (i) the following States for which it will act:
Australia, New Zealand and
by arrangement, the States regarded as developing countries in conformity with the established practice of the General Assembly of the United Nations;
- (ii) the following language which it will accept:
English.

Annex B
Subject Matter Not Excluded from Search or Examination

The subject matter set forth in Rule 39.1 or 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

subject matter which is searched or examined under Australian national grant procedure.

Annex C
Fees and Charges

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (Australian dollars) |
|--|--|
| Search fee (Rule 16.1(a)) | 1,600 |
| Additional fee (Rule 40.2(a)) | 1,600 |
| Preliminary examination fee (Rule 58.1(b)): | |
| – where the international search report was issued by the Authority | 550 |
| – in other cases | 780 |
| Additional fee (Rule 68.3(a)) | 550 |
| Cost of copies (Rules 44.3(b) and 71.2(b)), per document | 50 |
| Cost of copies (Rule 94), per document | 50 |

Part II. Conditions for and Extent of Refunds or Reductions of Fees

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the international application is withdrawn or considered withdrawn, under Article 14(1), (3) or (4), before the start of the international search, the amount of the search fee paid shall be fully refunded.

(3) Where the Authority benefits from an earlier search, 25% or 50% of the search fee shall be refunded, depending on the extent to which the Authority benefits from that earlier search.

(4) In the cases provided for under Rule 58.3, the amount of the preliminary examination fee paid shall be fully refunded.

(5) Where the international application or the demand is withdrawn before the start of the international preliminary examination, the amount of the preliminary examination fee paid shall be fully refunded.

Annex D
Languages of Correspondence

Under Article 7 of the Agreement, the Authority specifies the following language:
English.

AGREEMENT
BETWEEN THE BRAZILIAN NATIONAL INSTITUTE OF INDUSTRIAL PROPERTY
AND THE INTERNATIONAL BUREAU
OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION

in relation to the functioning of the Brazilian National Institute of Industrial Property
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

Preamble

The Brazilian National Institute of Industrial Property and the International Bureau of the World Intellectual Property Organization,

Considering that the PCT Assembly, having heard the advice of the PCT Committee for Technical Cooperation, has appointed the Brazilian National Institute of Industrial Property as an International Searching and Preliminary Examining Authority under the Patent Cooperation Treaty and approved this Agreement in accordance with Articles 16(3) and 32(3),

Hereby agree as follows:

Article 1
Terms and Expressions

- (1) For the purposes of this Agreement:
- (a) “Treaty” means the Patent Cooperation Treaty;
 - (b) “Regulations” means the Regulations under the Treaty;
 - (c) “Administrative Instructions” means the Administrative Instructions under the Treaty;
 - (d) “Article” (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
 - (e) “Rule” means a Rule of the Regulations;
 - (f) “Contracting State” means a State party to the Treaty;
 - (g) “the Authority” means the Brazilian National Institute of Industrial Property;
 - (h) “the International Bureau” means the International Bureau of the World Intellectual Property Organization.

(2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2

Basic Obligations

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching Authority and International Preliminary Examining Authority as are provided under, the Treaty, the Regulations, the Administrative Instructions and this Agreement.

(2) In carrying out international search and international preliminary examination, the Authority shall apply and observe all the common rules of international search and of international preliminary examination and, in particular, shall be guided by the PCT International Search and Preliminary Examination Guidelines.

(3) The Authority shall maintain a quality management system in compliance with the requirements set out in the PCT International Search and Preliminary Examination Guidelines.

(4) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent considered to be appropriate by both the Authority and the International Bureau, mutual assistance in the performance of their functions thereunder.

Article 3

Competence of Authority

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant and that any other requirements regarding such application as specified in Annex A to this Agreement have been met.

(3) Where an international application is filed with the International Bureau as receiving Office under Rule 19.1(a)(iii), paragraphs (1) and (2) apply as if that application had been filed with a receiving Office which would have been competent under Rule 19.1(a)(i) or (ii), (b) or (c) or Rule 19.2(i).

Article 4
Subject Matter Not Required to Be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter specified in Annex B to this Agreement.

Article 5
Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, is set out in Annex C to this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement:

- (i) refund the whole or part of the search fee paid, or waive or reduce the search fee, where the international search report can be wholly or partly based on the results of an earlier search (Rules 16.3 and 41.1);
- (ii) refund the search fee where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement, refund the whole or part of the preliminary examination fee paid where the demand is considered as if it had not been submitted (Rule 58.3) or where the demand or the international application is withdrawn by the applicant before the start of the international preliminary examination.

Article 6
Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate solely the International Patent Classification.

Article 7
Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, other than with the International Bureau, the Authority shall use the language or one of the languages indicated, having regard to the language or languages indicated in Annex A and to the language or languages whose use is authorized by the Authority under Rule 92.2(b), in Annex D.

Article 8
International-Type Search

The Authority shall carry out international-type searches to the extent decided by it.

Article 9
Entry into Force

This Agreement shall enter into force one month after the date on which the Authority notifies the Director General of the World Intellectual Property Organization that it is prepared to start functioning as an International Searching Authority and as an International Preliminary Examining Authority.

Article 10
Duration and Renewability

This Agreement shall remain in force until December 31, 2017. The parties to this Agreement shall, no later than July 2016, start negotiations for its renewal.

Article 11
Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes to this Agreement by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(3) The Authority may, by a notification to the Director General of the World Intellectual Property Organization:

- (i) add to the indications of States and languages contained in Annex A to this Agreement;
- (ii) amend the schedule of fees and charges contained in Annex C to this Agreement;
- (iii) amend the indications of languages of correspondence contained in Annex D to this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any increase of fees or charges contained in Annex C, that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 12
Termination

- (1) This Agreement shall terminate before December 31, 2017:
 - (i) if the Brazilian National Institute of Industrial Property gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

- (ii) if the Director General of the World Intellectual Property Organization gives the Brazilian National Institute of Industrial Property written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

In witness whereof the parties hereto have executed this Agreement.

Done at [city], this [date], in two originals in the English and Portuguese languages, each text being equally authentic.

For the Brazilian National Institute
of Industrial Property by:

For the International Bureau by:

[signature]

[signature]

Annex A States and Languages

Under Article 3 of the Agreement, the Authority specifies:

- (i) the following State for which it will act:
any Contracting State;
- (ii) the following languages which it will accept:
 - (a) for international applications filed with the Brazilian National Institute of Industrial Property as receiving Office: English, Portuguese, Spanish;
 - (b) for international applications filed with any other receiving Office: Portuguese.

Annex B Subject Matter Not Excluded from Search or Examination

The subject matter set forth in Rule 39.1 or 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

all subject matter which is searched or examined under the Brazilian patent grant procedure.

Annex C Fees and Charges

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (Brazilian reais) |
|--|-------------------------------------|
| Search fee (Rule 16.1(a)) | [...] |
| Additional fee (Rule 40.2(a)) | [...] |
| Preliminary examination fee (Rule 58.1(b)) | [...] |
| Additional fee (Rule 68.3(a)) | [...] |
| Cost of copies (Rules 44.3(b), 71.2(b) and 94.2) | [...] |

Part II. Conditions for and Extent of Refunds or Reductions of Fees

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the international application is withdrawn or considered withdrawn, under Article 14(1), (3) or (4), before the start of the international search, the amount of the search fee paid shall be fully refunded.

(3) Where the Authority benefits from an earlier search, [*percentages to be determined*] of the search fee paid shall be refunded, depending upon the extent to which the Authority benefits from that earlier search.

(4) In the cases provided for under Rule 58.3, the amount of the preliminary examination fee paid shall be fully refunded.

(5) When the international application or the demand is withdrawn before the start of the international preliminary examination, the amount of the preliminary examination fee paid shall be fully refunded.

Annex D Languages of Correspondence

Under Article 7 of the Agreement, the Authority specifies the following languages:

English, Portuguese or Spanish, depending on the language in which the international application is filed or translated.

AGREEMENT
BETWEEN THE CANADIAN COMMISSIONER OF PATENTS
AND THE INTERNATIONAL BUREAU
OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION

in relation to the functioning of the Canadian Commissioner of Patents
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

Preamble

The Canadian Commissioner of Patents and the International Bureau of the World Intellectual Property Organization,

Considering that the PCT Assembly, having heard the advice of the PCT Committee for Technical Cooperation, has appointed the Canadian Commissioner of Patents as an International Searching and Preliminary Examining Authority under the Patent Cooperation Treaty and approved this Agreement in accordance with Articles 16(3) and 32(3),

Hereby agree as follows:

Article 1
Terms and Expressions

- (1) For the purposes of this Agreement:
- (a) “Treaty” means the Patent Cooperation Treaty;
 - (b) “Regulations” means the Regulations under the Treaty;
 - (c) “Administrative Instructions” means the Administrative Instructions under the Treaty;
 - (d) “Article” (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
 - (e) “Rule” means a Rule of the Regulations;
 - (f) “Contracting State” means a State party to the Treaty;
 - (g) “the Authority” means the Canadian Commissioner of Patents;
 - (h) “the International Bureau” means the International Bureau of the World Intellectual Property Organization.

(2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2

Basic Obligations

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching Authority and International Preliminary Examining Authority as are provided under, the Treaty, the Regulations, the Administrative Instructions and this Agreement.

(2) In carrying out international search and international preliminary examination, the Authority shall apply and observe all the common rules of international search and of international preliminary examination and, in particular, shall be guided by the PCT International Search and Preliminary Examination Guidelines.

(3) The Authority shall maintain a quality management system in compliance with the requirements set out in the PCT International Search and Preliminary Examination Guidelines.

(4) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent considered to be appropriate by both the Authority and the International Bureau, mutual assistance in the performance of their functions thereunder.

Article 3

Competence of Authority

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant, and that any other requirements regarding such application as specified in Annex A to this Agreement have been met.

(3) Where an international application is filed with the International Bureau as receiving Office under Rule 19.1(a)(iii), paragraphs (1) and (2) apply as if that application had been filed with a receiving Office which would have been competent under Rule 19.1(a)(i) or (ii), (b) or (c) or Rule 19.2(i).

Article 4
Subject Matter Not Required to Be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter specified in Annex B to this Agreement.

Article 5
Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, is set out in Annex C to this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement:

- (i) refund the whole or part of the search fee paid, or waive or reduce the search fee, where the international search report can be wholly or partly based on the results of an earlier search (Rules 16.3 and 41.1);
- (ii) refund the search fee where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement, refund the whole or part of the preliminary examination fee paid where the demand is considered as if it had not been submitted (Rule 58.3) or where the demand or the international application is withdrawn by the applicant before the start of the international preliminary examination.

Article 6
Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate solely the International Patent Classification.

Article 7
Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, other than with the International Bureau, the Authority shall use the language or one of the languages indicated, having regard to the language or languages indicated in Annex A and to the language or languages whose use is authorized by the Authority under Rule 92.2(b), in Annex D.

Article 8
International-Type Search

The Authority shall carry out international-type searches to the extent decided by it.

Article 9
Entry into Force

This Agreement shall enter into force on January 1, 2008.

Article 10
Duration and Renewability

This Agreement shall remain in force until December 31, 2017. The parties to this Agreement shall, no later than July 2016, start negotiations for its renewal.

Article 11
Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes to this Agreement by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(3) The Authority may, by a notification to the Director General of the World Intellectual Property Organization:

- (i) add to the indications of States and languages contained in Annex A to this Agreement;
- (ii) amend the schedule of fees and charges contained in Annex C to this Agreement;
- (iii) amend the indications of languages of correspondence contained in Annex D to this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any increase of fees or charges contained in Annex C, that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2017:

- (i) if the Canadian Commissioner of Patents gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

- (ii) if the Director General of the World Intellectual Property Organization gives the Canadian Commissioner of Patents written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

In witness whereof the parties hereto have executed this Agreement.

Done at [city], this [date], in two originals in the English and French languages, each text being equally authentic.

For the Canadian Commissioner of Patents For the International Bureau by:
by:

[signature]

[signature]

Annex A States and Languages

Under Article 3 of the Agreement, the Authority specifies:

- (i) the following States for which it will act:
 - so far as Article 3(1) is concerned: Canada, and the States regarded as developing countries in conformity with the established practice of the General Assembly of the United Nations;
 - so far as Article 3(2) is concerned: where the Authority has prepared the international search report, Canada, and the States regarded as developing countries in conformity with the established practice of the General Assembly of the United Nations;
- (ii) the following languages which it will accept:
 - English, French.

Annex B Subject Matter Not Excluded from Search or Examination

The subject matter set forth in Rule 39.1 or 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

all subject matter which is searched or examined under the Canadian patent grant procedure.

Annex C
Fees and Charges

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (Canadian dollars) |
|--|--------------------------------------|
| Search fee (Rule 16.1(a)) | 1,600 |
| Additional fee (Rule 40.2(a)) | 1,600 |
| Preliminary examination fee (Rule 58.1(b)) | 800 |
| Additional fee (Rule 68.3(a)) | 800 |
| Cost of copies (Rules 44.3(b), 71.2(b) and 94.2), per page | 1 |

Part II. Conditions for and Extent of Refunds or Reductions of Fees

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the international application is withdrawn or considered withdrawn, under Article 14(1), (3) or (4), before the start of the international search, the amount of the search fee paid shall be fully refunded.

(3) Where the Authority benefits from an earlier search, 25% of the search fee paid shall be refunded, depending upon the extent to which the Authority benefits from that earlier search.

(4) In the cases provided for under Rule 58.3, the amount of the preliminary examination fee paid shall be fully refunded.

(5) When the international application or the demand is withdrawn before the start of the international preliminary examination, the amount of the preliminary examination fee paid shall be fully refunded.

Annex D
Languages of Correspondence

Under Article 7 of the Agreement, the Authority specifies the following languages:
English, French.

AGREEMENT
BETWEEN THE STATE INTELLECTUAL PROPERTY OFFICE
OF THE PEOPLE'S REPUBLIC OF CHINA
AND THE INTERNATIONAL BUREAU
OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION

in relation to the functioning of the State Intellectual Property Office
of the People's Republic of China
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

Preamble

The State Intellectual Property Office of the People's Republic of China and the International Bureau of the World Intellectual Property Organization,

Considering that the PCT Assembly, having heard the advice of the PCT Committee for Technical Cooperation, has appointed the State Intellectual Property Office of the People's Republic of China as an International Searching and Preliminary Examining Authority under the Patent Cooperation Treaty and approved this Agreement in accordance with Articles 16(3) and 32(3),

Hereby agree as follows:

Article 1
Terms and Expressions

- (1) For the purposes of this Agreement:
- (a) "Treaty" means the Patent Cooperation Treaty;
 - (b) "Regulations" means the Regulations under the Treaty;
 - (c) "Administrative Instructions" means the Administrative Instructions under the Treaty;
 - (d) "Article" (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
 - (e) "Rule" means a Rule of the Regulations;
 - (f) "Contracting State" means a State party to the Treaty;
 - (g) "the Authority" means the State Intellectual Property Office of the People's Republic of China;
 - (h) "the International Bureau" means the International Bureau of the World Intellectual Property Organization.

(2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2 **Basic Obligations**

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching Authority and International Preliminary Examining Authority as are provided under, the Treaty, the Regulations, the Administrative Instructions and this Agreement.

(2) In carrying out international search and international preliminary examination, the Authority shall apply and observe all the common rules of international search and of international preliminary examination and, in particular, shall be guided by the PCT International Search and Preliminary Examination Guidelines.

(3) The Authority shall maintain a quality management system in compliance with the requirements set out in the PCT International Search and Preliminary Examination Guidelines.

(4) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent considered to be appropriate by both the Authority and the International Bureau, mutual assistance in the performance of their functions thereunder.

Article 3 **Competence of Authority**

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(3) Where an international application is filed with the International Bureau as receiving Office under Rule 19.1(a)(iii), paragraphs (1) and (2) apply as if that application had been filed with a receiving Office which would have been competent under Rule 19.1(a)(i) or (ii), (b) or (c) or Rule 19.2(i).

Article 4
Subject Matter Not Required to Be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter specified in Annex B to this Agreement.

Article 5
Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, is set out in Annex C to this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement:

- (i) refund the whole or part of the search fee paid, or waive or reduce the search fee, where the international search report can be wholly or partly based on the results of an earlier search (Rules 16.3 and 41.1);
- (ii) refund the search fee where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement, refund the whole or part of the preliminary examination fee paid where the demand is considered as if it had not been submitted (Rule 58.3) or where the demand or the international application is withdrawn by the applicant before the start of the international preliminary examination.

Article 6
Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate solely the International Patent Classification.

Article 7
Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, other than with the International Bureau, the Authority shall use the language or one of the languages indicated, having regard to the language or languages indicated in Annex A and to the language or languages whose use is authorized by the Authority under Rule 92.2(b), in Annex D.

Article 8
International-Type Search

The Authority shall carry out international-type searches to the extent decided by it.

Article 9
Entry into Force

This Agreement shall enter into force on January 1, 2008.

Article 10
Duration and Renewability

This Agreement shall remain in force until December 31, 2017. The parties to this Agreement shall, no later than July 2016, start negotiations for its renewal.

Article 11
Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes to this Agreement by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(3) The Authority may, by a notification to the Director General of the World Intellectual Property Organization:

- (i) add to the indications of States and languages contained in Annex A to this Agreement;
- (ii) amend the schedule of fees and charges contained in Annex C to this Agreement;
- (iii) amend the indications of languages of correspondence contained in Annex D to this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any increase of fees or charges contained in Annex C, that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 12
Termination

- (1) This Agreement shall terminate before December 31, 2017:
- (i) if the State Intellectual Property Office of the People's Republic of China gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or
 - (ii) if the Director General of the World Intellectual Property Organization gives the State Intellectual Property Office of the People's Republic of China written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

In witness whereof the parties hereto have executed this Agreement.

Done at [city], this [date], in two originals in the Chinese and English languages, each text being equally authentic.

For the State Intellectual Property Office
of the People's Republic of China by:

For the International Bureau by:

[signature]

[signature]

Annex A
States and Languages

Under Article 3 of the Agreement, the Authority specifies:

- (i) the following States for which it will act:
China, Ghana, India, Kenya, Liberia, Turkey, Zimbabwe
and any State that the Authority will specify;
- (ii) the following languages which it will accept:
Chinese, English.

Annex B
Subject Matter Not Excluded from Search or Examination

The subject matter set forth in Rule 39.1 or 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

subject matter which is searched or examined in Chinese national applications.

Annex C
Fees and Charges

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (Yuan renminbi) |
|---|-----------------------------------|
| Search fee (Rule 16.1(a)) | 2,100 |
| Additional fee (Rule 40.2(a)) | 2,100 |
| Preliminary examination fee (Rule 58.1(b)) | 1,500 |
| Additional fee (Rule 68.3(a)) | 1,500 |
| Protest fee (Rules 40.2(e) and 68.3(e)) | 200 |
| Late furnishing fee (Rule 13 ^{ter} .1(c) and 13 ^{ter} .2) | 200 |
| Cost of copies (Rules 44.3(b), 71.2(b) and 94.2), per page | 2 |

Part II. Conditions for and Extent of Refunds or Reductions of Fees

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the international application is withdrawn or considered withdrawn, under Article 14(1), (3) or (4), before the start of the international search, the amount of the search fee paid shall be fully refunded.

(3) Where the Authority benefits from an earlier search to the full extent or to a substantially prevailing portion, 75% of the search fee paid shall be refunded.

(4) In the cases provided for under Rule 58.3, the amount of the preliminary examination fee paid shall be fully refunded.

(5) Where the international application or the demand is withdrawn before the start of the international preliminary examination, the amount of the preliminary examination fee paid shall be fully refunded.

Annex D
Languages of Correspondence

Under Article 7 of the Agreement, the Authority specifies the following languages:

Chinese and English, noting that the language of correspondence shall be the language in which the international application is filed or translated, as the case may be.

AGREEMENT
BETWEEN THE EUROPEAN PATENT ORGANISATION
AND THE INTERNATIONAL BUREAU
OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION

in relation to the functioning of the European Patent Office
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

Preamble

The European Patent Organisation and the International Bureau of the World Intellectual Property Organization,

Considering that the PCT Assembly, having heard the advice of the PCT Committee for Technical Cooperation, has appointed the European Patent Office as an International Searching and Preliminary Examining Authority under the Patent Cooperation Treaty and approved this Agreement in accordance with Articles 16(3) and 32(3),

Hereby agree as follows:

Article 1
Terms and Expressions

- (1) For the purposes of this Agreement:
- (a) “Treaty” means the Patent Cooperation Treaty;
 - (b) “Regulations” means the Regulations under the Treaty;
 - (c) “Administrative Instructions” means the Administrative Instructions under the Treaty;
 - (d) “Article” (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
 - (e) “Rule” means a Rule of the Regulations;
 - (f) “Contracting State” means a State party to the Treaty;
 - (g) “the Authority” means the European Patent Office;
 - (h) “the International Bureau” means the International Bureau of the World Intellectual Property Organization;

(2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2 **Basic Obligations**

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching Authority and International Preliminary Examining Authority as are provided under, the Treaty, the Regulations, the Administrative Instructions and this Agreement.

(2) In carrying out international search and international preliminary examination, the Authority shall apply and observe all the common rules of international search and of international preliminary examination and, in particular, shall be guided by the PCT International Search and Preliminary Examination Guidelines.

(3) The Authority shall maintain a quality management system in compliance with the requirements set out in the PCT International Search and Preliminary Examination Guidelines.

(4) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent considered to be appropriate by both the Authority and the International Bureau, mutual assistance in the performance of their functions thereunder.

Article 3 **Competence of Authority**

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any Contracting State, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages specified in Annex A to this Agreement, that such application is not an application of a kind specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any Contracting State, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages specified in Annex A to this Agreement, that such application is not an application of a kind specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(3) Where an international application is filed with the International Bureau as receiving Office under Rule 19.1(a)(iii), paragraphs (1) and (2) apply as if that application had been filed with a receiving Office which would have been competent under Rule 19.1(a)(i) or (ii), (b) or (c) or Rule 19.2(i).

Article 4
Subject Matter Not Required to Be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter specified in Annex B to this Agreement.

Article 5
Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, is set out in Annex C to this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement:

- (i) refund the whole or part of the search fee paid, or waive or reduce the search fee, where the international search report can be wholly or partly based on the results of an earlier search (Rules 16.3 and 41.1);
- (ii) refund the search fee where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement, refund the whole or part of the preliminary examination fee paid where the demand is considered as if it had not been submitted (Rule 58.3) or where the demand or the international application is withdrawn by the applicant before the start of the international preliminary examination.

Article 6
Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate solely the International Patent Classification.

Article 7
Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, other than with the International Bureau, the Authority shall use the language or one of the languages indicated, having regard to the language or languages indicated in Annex A and to the language or languages whose use is authorized by the Authority under Rule 92.2(b), in Annex D.

Article 8
International-Type Search

The Authority shall carry out international-type searches to the extent decided by it.

Article 9
Entry into Force

This Agreement shall enter into force on December 13, 2007.

Article 10
Duration and Renewability

This Agreement shall remain in force until December 31, 2017. The parties to this Agreement shall, no later than July 2016, start negotiations for its renewal.

Article 11
Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes to this Agreement by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(3) The Authority may, by a notification to the Director General of the World Intellectual Property Organization:

- (i) add to the indications of languages contained in Annex A to this Agreement;
- (ii) amend the schedule of fees and charges contained in Annex C to this Agreement;
- (iii) amend the indications of languages of correspondence contained in Annex D to this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any increase of fees or charges contained in Annex C, that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2017:

- (i) if the European Patent Organisation gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement;
or
- (ii) if the Director General of the World Intellectual Property Organization gives the European Patent Organisation written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

In witness whereof the parties hereto have executed this Agreement.

Done at [city], this [date], in two originals in the English, French and German languages, each text being equally authentic.

For the European Patent Organisation by:

For the International Bureau by:

[signature]

[signature]

Annex A Languages and Kinds of Application

Under Article 3 of the Agreement, the Authority specifies:

- (i) the following languages which it will accept:
English, French, German, and, where the receiving Office is the industrial property Office of Belgium or the Netherlands, Dutch;
- (ii) the following kinds of application for which it will not act:¹
as an International Preliminary Examining Authority, international applications where the international search is to be, or has been, performed by an International Searching Authority other than the European Patent Office or the industrial property Office of a State party to the European Patent Convention.

Annex B Subject Matter Not Excluded from Search or Examination

The subject matter set forth in Rule 39.1 or 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

all subject matter searched or examined under the European patent grant procedure in application of the equivalent provisions of the European Patent Convention.

¹ Under an existing notification under Article 3(4)(a)(ii) of the Agreement in force until 12 December 2007 between the European Patent Organization and the International Bureau, the European Patent Office is excluded, until March 1, 2009, from competence as an International Searching Authority and International Preliminary Examining Authority with respect to international applications filed, by a national or a resident of the United States of America, with the United States Patent and Trademark Office or the International Bureau as receiving Office where such applications contain one or more claims relating to business methods. The EPO has informed the International Bureau that this limitation will remain in force until March 2009 as foreseen in its notice dated July 27, 2006 (OJ EPO 10/2006, 555 and *PCT Gazette* No. 38/2006, page 19070); however, it will not be included in Annex A of this Agreement unless the EPO seeks to issue a fresh limitation in 2009, which will then be introduced in accordance with the procedure under this Agreement.

Annex C
Fees and Charges

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (Euro) |
|---|--------------------------|
| Search fee (Rule 16.1(a)) | 1,615 ² |
| Additional fee (Rule 40.2(a)) | 1,615 ² |
| Preliminary examination fee (Rule 58.1(b)) | 1,595 ² |
| Additional fee (Rule 68.3(a)) | 1,595 ² |
| Protest fee (Rules 40.2(e) and 68.3(e)) | 1,065 |
| Late furnishing fee (Rule 13 ^{ter} .1(c) and 13 ^{ter} .2) | 200 |
| Cost of copies (Rules 44.3(b), 71.2(b) and 94.2), per page | 0.65 |

Part II. Conditions for and Extent of Refunds or Reductions of Fees

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the international application is withdrawn or considered withdrawn, under Article 14(1), (3) or (4), before the start of the international search, the amount of the search fee paid shall, upon request, be fully refunded.

(3) Where the Authority benefits from an earlier search (including a privately commissioned “standard” search) already made by the Authority on an application whose priority is claimed for the international application and depending upon the extent to which the Authority benefits from the earlier search in carrying out the international search and any other task entrusted to it, the search fee paid shall be refunded, to the extent provided for in a communication from the Authority to the International Bureau and published in the Gazette.

(4) In the cases provided for under Rule 58.3, the amount of the preliminary examination fee paid shall be fully refunded.

(5) Where the international application or the demand is withdrawn before the start of the international preliminary examination, 75% of the preliminary examination fee paid shall be refunded.

(6) The Authority may provide further refunds of the international preliminary examination fee under the conditions and to the extent laid down by it.

² This fee is reduced by 75% where the applicant or, if there are two or more applicants, each applicant is a natural person and is a national of and resides in a State not party to the European Patent Convention, which fulfils the requirements for the corresponding reduction of certain PCT fees as specified in the Schedule of Fees annexed to the PCT Regulations (see also corresponding footnote to the Annex C(IB) and *PCT Gazette* No. 50/1995, pages 19233 and 19234), and in accordance with the decision of the EPO’s Administrative Council of October 11, 2000 (OJ EPO 2000, 446).

Annex D
Languages of Correspondence

Under Article 7 of the Agreement, the Authority specifies the following languages:
English, French or German, depending on the language in which the international application is filed or translated.

AGREEMENT
BETWEEN THE SPANISH PATENT AND TRADEMARK OFFICE
AND THE INTERNATIONAL BUREAU
OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION

in relation to the functioning of the Spanish Patent and Trademark Office
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

Preamble

The Spanish Patent and Trademark Office and the International Bureau of the World Intellectual Property Organization,

Considering that the PCT Assembly, having heard the advice of the PCT Committee for Technical Cooperation, has appointed the Spanish Patent and Trademark Office as an International Searching and Preliminary Examining Authority under the Patent Cooperation Treaty and approved this Agreement in accordance with Articles 16(3) and 32(3),

Hereby agree as follows:

Article 1
Terms and Expressions

- (1) For the purposes of this Agreement:
- (a) “Treaty” means the Patent Cooperation Treaty;
 - (b) “Regulations” means the Regulations under the Treaty;
 - (c) “Administrative Instructions” means the Administrative Instructions under the Treaty;
 - (d) “Article” (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
 - (e) “Rule” means a Rule of the Regulations;
 - (f) “Contracting State” means a State party to the Treaty;
 - (g) “the Authority” means the Spanish Patent and Trademark Office;
 - (h) “the International Bureau” means the International Bureau of the World Intellectual Property Organization.

(2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2

Basic Obligations

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching Authority and International Preliminary Examining Authority as are provided under, the Treaty, the Regulations, the Administrative Instructions and this Agreement.

(2) In carrying out international search and international preliminary examination, the Authority shall apply and observe all the common rules of international search and of international preliminary examination and, in particular, shall be guided by the PCT International Search and Preliminary Examination Guidelines.

(3) The Authority shall maintain a quality management system in compliance with the requirements set out in the PCT International Search and Preliminary Examination Guidelines.

(4) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent considered to be appropriate by both the Authority and the International Bureau, mutual assistance in the performance of their functions thereunder.

Article 3

Competence of Authority

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any Contracting State, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any Contracting State, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant and that any other requirements regarding such application as specified in Annex A to this Agreement have been met.

(3) Where an international application is filed with the International Bureau as receiving Office under Rule 19.1(a)(iii), paragraphs (1) and (2) apply as if that application had been filed with a receiving Office which would have been competent under Rule 19.1(a)(i) or (ii), (b) or (c) or Rule 19.2(i).

Article 4
Subject Matter Not Required to Be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter specified in Annex B to this Agreement.

Article 5
Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, is set out in Annex C to this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement:

- (i) refund the whole or part of the search fee paid, or waive or reduce the search fee, where the international search report can be wholly or partly based on the results of an earlier search (Rules 16.3 and 41.1);
- (ii) refund the search fee where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement, refund the whole or part of the preliminary examination fee paid where the demand is considered as if it had not been submitted (Rule 58.3) or where the demand or the international application is withdrawn by the applicant before the start of the international preliminary examination.

Article 6
Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate solely the International Patent Classification.

Article 7
Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, other than with the International Bureau, the Authority shall use the language or one of the languages indicated, having regard to the language or languages indicated in Annex A and to the language or languages whose use is authorized by the Authority under Rule 92.2(b), in Annex D.

Article 8
International-Type Search

The Authority shall carry out international-type searches to the extent decided by it.

Article 9
Entry into Force

This Agreement shall enter into force on January 1, 2008.

Article 10
Duration and Renewability

This Agreement shall remain in force until December 31, 2017. The parties to this Agreement shall, no later than July 2016, start negotiations for its renewal.

Article 11
Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes to this Agreement by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(3) The Authority may, by a notification to the Director General of the World Intellectual Property Organization:

- (i) add to the indications of languages contained in Annex A to this Agreement;
- (ii) amend the schedule of fees and charges contained in Annex C to this Agreement;
- (iii) amend the indications of languages of correspondence contained in Annex D to this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any increase of fees or charges contained in Annex C, that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 12
Termination

- (1) This Agreement shall terminate before December 31, 2017:
- (i) if the Spanish Patent and Trademark Office gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or
 - (ii) if the Director General of the World Intellectual Property Organization gives the Spanish Patent and Trademark Office written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

In witness whereof the parties hereto have executed this Agreement.

Done at [city], this [date], in two originals in the English and Spanish languages, each text being equally authentic.

For the Spanish Patent and Trademark Office For the International Bureau by:
by:

[signature]

[signature]

Annex A
Languages

Under Article 3 of the Agreement, the Authority specifies the following language for which it will act:

Spanish.

Annex B
Subject Matter Not Excluded from Search or Examination

The subject matter set forth in Rule 39.1 or 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination is the following:

all subject matter searched or examined in Spanish national applications.

Annex C
Fees and Charges

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (Euro) |
|---|--------------------------|
| Search fee (Rule 16.1(a)) | 1,615 ¹ |
| Additional fee (Rule 40.2(a)) | 1,615 ¹ |
| Preliminary examination fee (Rule 58.1(b)) | 544.44 |
| Additional fee (Rule 68.3(a)) | 544.44 |
| Cost of copies (Rules 44.3(b) and 71.2(b)): | |
| – national documents, per document | 4.69 |
| – foreign documents, per document | 4.69 |
| Cost of copies (Rule 94.2), per page | 0.23 |

Part II. Conditions for and Extent of Refunds or Reductions of Fees

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the international application is withdrawn or considered withdrawn, under Article 14(1), (3) or (4), before the start of the international search, the amount of the search fee paid shall be fully refunded.

(3) Where the Authority benefits from an earlier search already made by the Authority on an application whose priority is claimed for the international application, 100% or 50% of the search fee paid shall be refunded, depending upon the extent to which the Authority benefits from that earlier search.

(4) In the cases provided for under Rule 58.3, the amount of the preliminary examination fee paid shall be fully refunded.

(5) When the international application or the demand is withdrawn before the start of the international preliminary examination, the amount of the preliminary examination fee paid shall be fully refunded.

¹ This fee is reduced by 75% where the applicant or, if there are two or more applicants, each applicant is a natural person or a legal entity and is a national of and resides in a State not party to the European Patent Convention, which fulfils the requirements for the corresponding reduction of certain PCT fees as specified in the Schedule of Fees annexed to the PCT Regulations (see also corresponding footnote to Annex C(IB) and *PCT Gazette* No. 50/1995, pages 19233 and 19234), and in accordance with the decision of the EPO's Administrative Council of October 11, 2000 (OJ EPO 2000, 446).

Annex D
Languages of Correspondence

Under Article 7 of the Agreement, the Authority specifies the following language:
Spanish.

AGREEMENT
BETWEEN THE NATIONAL BOARD OF PATENTS AND REGISTRATION
OF FINLAND
AND THE INTERNATIONAL BUREAU
OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION

in relation to the functioning of
the National Board of Patents and Registration of Finland
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

Preamble

The National Board of Patents and Registration of Finland and the International Bureau of the World Intellectual Property Organization,

Considering that the PCT Assembly, having heard the advice of the PCT Committee for Technical Cooperation, has appointed the National Board of Patents and Registration of Finland as an International Searching and Preliminary Examining Authority under the Patent Cooperation Treaty and approved this Agreement in accordance with Articles 16(3) and 32(3),

Hereby agree as follows:

Article 1
Terms and Expressions

- (1) For the purposes of this Agreement:
- (a) “Treaty” means the Patent Cooperation Treaty;
 - (b) “Regulations” means the Regulations under the Treaty;
 - (c) “Administrative Instructions” means the Administrative Instructions under the Treaty;
 - (d) “Article” (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
 - (e) “Rule” means a Rule of the Regulations;
 - (f) “Contracting State” means a State party to the Treaty;
 - (g) “the Authority” means the National Board of Patents and Registration of Finland;
 - (h) “the International Bureau” means the International Bureau of the World Intellectual Property Organization.

(2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2

Basic Obligations

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching Authority and International Preliminary Examining Authority as are provided under, the Treaty, the Regulations, the Administrative Instructions and this Agreement.

(2) In carrying out international search and international preliminary examination, the Authority shall apply and observe all the common rules of international search and of international preliminary examination and, in particular, shall be guided by the PCT International Search and Preliminary Examination Guidelines.

(3) The Authority shall maintain a quality management system in compliance with the requirements set out in the PCT International Search and Preliminary Examination Guidelines.

(2) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent considered to be appropriate by both the Authority and the International Bureau, mutual assistance in the performance of their functions thereunder.

Article 3

Competence of Authority

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant and that any other requirements regarding such application as specified in Annex A to this Agreement have been met.

(3) Where an international application is filed with the International Bureau as receiving Office under Rule 19.1(a)(iii), paragraphs (1) and (2) apply as if that application had been filed with a receiving Office which would have been competent under Rule 19.1(a)(i) or (ii), (b) or (c) or Rule 19.2(i).

Article 4
Subject Matter Not Required to Be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter specified in Annex B to this Agreement.

Article 5
Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, is set out in Annex C to this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement:

- (i) refund the whole or part of the search fee paid, or waive or reduce the search fee, where the international search report can be wholly or partly based on the results of an earlier search (Rules 16.3 and 41.1);
- (ii) refund the search fee where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement, refund the whole or part of the preliminary examination fee paid where the demand is considered as if it had not been submitted (Rule 58.3) or where the demand or the international application is withdrawn by the applicant before the start of the international preliminary examination.

Article 6
Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate solely the International Patent Classification.

Article 7
Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, other than with the International Bureau, the Authority shall use the language or one of the languages indicated, having regard to the language or languages indicated in Annex A and to the language or languages whose use is authorized by the Authority under Rule 92.2(b), in Annex D.

Article 8
International-Type Search

The Authority shall carry out international-type searches to the extent decided by it.

Article 9
Entry into Force

This Agreement shall enter into force on January 1, 2008.

Article 10
Duration and Renewability

This Agreement shall remain in force until December 31, 2017. The parties to this Agreement shall, no later than July 2016, start negotiations for its renewal.

Article 11
Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes to this Agreement by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(3) The Authority may, by a notification to the Director General of the World Intellectual Property Organization:

- (i) add to the indications of States and languages contained in Annex A to this Agreement;
- (ii) amend the schedule of fees and charges contained in Annex C to this Agreement;
- (iii) amend the indications of languages of correspondence contained in Annex D to this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any increase of fees or charges contained in Annex C, that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 12 Termination

(1) This Agreement shall terminate before December 31, 2017:

- (i) if the National Board of Patents and Registration of Finland gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or
- (ii) if the Director General of the World Intellectual Property Organization gives the National Board of Patents and Registration of Finland written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

In witness whereof the parties hereto have executed this Agreement.

Done at [city], this [date], in two originals in the English language.

For the National Board of Patents and
Registration of Finland by:

For the International Bureau by:

[signature]

[signature]

Annex A States and Languages

Under Article 3 of the Agreement, the Authority specifies:

- (i) the following States for which it will act:
 - (a) Finland;
 - (b) any other Contracting State in accordance with the obligations of the Authority within the framework of the European Patent Organisation;
- (ii) the following languages which it will accept:
Finnish, Swedish, English.

Annex B
Subject Matter Not Excluded from Search or Examination

The subject matter set forth in Rule 39.1 or 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

all subject matter searched or examined under the national patent grant procedure under the provisions of the Finnish Patent Law.

Annex C
Fees and Charges

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (Euro) |
|--|--------------------------|
| Search fee (Rule 16.1(a)) | 1,615 |
| Additional fee (Rule 40.2(a)) | 1,615 |
| Preliminary examination fee (Rule 58.1(b)) | 550 |
| Additional fee (Rule 68.3(a)) | 550 |
| Cost of copies (Rules 44.3(b), 71.2(b) and 94.2), per page | 0.60 |

Part II. Conditions for and Extent of Refunds or Reductions of Fees

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the international application is withdrawn or considered withdrawn, under Article 14(1), (3) or (4), before the start of the international search, the amount of the search fee paid shall be fully refunded.

(3) Where the Authority benefits from:

- (i) an earlier national search already made by the Authority on an application whose priority is claimed for the international application: 100% of the national filing fee paid shall be refunded;
- (ii) an earlier international-type search already made by the Authority on an application whose priority is claimed for the international application: 50% or 100% of the international-type search fee paid shall be refunded, depending upon the extent to which the Authority benefits from that earlier search;
- (iii) an earlier international search already made by the Authority on an application whose priority is claimed for the international application: 50% or 100% of the earlier international search fee paid shall be refunded, depending upon the extent to which the Authority benefits from that earlier search.

(4) In the cases provided for under Rule 58.3, the amount of the preliminary examination fee paid shall be fully refunded.

(5) When the international application or the demand is withdrawn before the start of the international preliminary examination, the amount of the preliminary examination fee paid shall be fully refunded.

Annex D
Languages of Correspondence

Under Article 7 of the Agreement, the Authority specifies the following languages:

Finnish, Swedish or English, depending on the language in which the international application is filed or translated.

AGREEMENT
BETWEEN THE GOVERNMENT OF INDIA
AND THE INTERNATIONAL BUREAU
OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION

in relation to the functioning of the Indian Patent Office
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

Preamble

The Government of India and the International Bureau of the World Intellectual Property Organization,

Considering that the PCT Assembly, having heard the advice of the PCT Committee for Technical Cooperation, has appointed the Indian Patent Office as an International Searching and Preliminary Examining Authority under the Patent Cooperation Treaty and approved this Agreement in accordance with Articles 16(3) and 32(3),

Hereby agree as follows:

Article 1
Terms and Expressions

- (1) For the purposes of this Agreement:
- (a) “Treaty” means the Patent Cooperation Treaty;
 - (b) “Regulations” means the Regulations under the Treaty;
 - (c) “Administrative Instructions” means the Administrative Instructions under the Treaty;
 - (d) “Article” (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
 - (e) “Rule” means a Rule of the Regulations;
 - (f) “Contracting State” means a State party to the Treaty;
 - (g) “the Authority” means the Indian Patent Office;
 - (h) “the International Bureau” means the International Bureau of the World Intellectual Property Organization.

(2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2

Basic Obligations

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching Authority and International Preliminary Examining Authority as are provided under, the Treaty, the Regulations, the Administrative Instructions and this Agreement.

(2) In carrying out international search and international preliminary examination, the Authority shall apply and observe all the common rules of international search and of international preliminary examination and, in particular, shall be guided by the PCT International Search and Preliminary Examination Guidelines.

(3) The Authority shall maintain a quality management system in compliance with the requirements set out in the PCT International Search and Preliminary Examination Guidelines.

(4) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent considered to be appropriate by both the Authority and the International Bureau, mutual assistance in the performance of their functions thereunder.

Article 3

Competence of Authority

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant and that any other requirements regarding such application as specified in Annex A to this Agreement have been met.

(3) Where an international application is filed with the International Bureau as receiving Office under Rule 19.1(a)(iii), paragraphs (1) and (2) apply as if that application had been filed with a receiving Office which would have been competent under Rule 19.1(a)(i) or (ii), (b) or (c) or Rule 19.2(i).

Article 4
Subject Matter Not Required to Be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter specified in Annex B to this Agreement.

Article 5
Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, is set out in Annex C to this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement:

- (i) refund the whole or part of the search fee paid, or waive or reduce the search fee, where the international search report can be wholly or partly based on the results of an earlier search (Rules 16.3 and 41.1);
- (ii) refund the search fee where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement, refund the whole or part of the preliminary examination fee paid where the demand is considered as if it had not been submitted (Rule 58.3) or where the demand or the international application is withdrawn by the applicant before the start of the international preliminary examination.

Article 6
Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate solely the International Patent Classification.

Article 7
Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, other than with the International Bureau, the Authority shall use the language or one of the languages indicated, having regard to the language or languages indicated in Annex A and to the language or languages whose use is authorized by the Authority under Rule 92.2(b), in Annex D.

Article 8
International-Type Search

The Authority shall carry out international-type searches to the extent decided by it.

Article 9
Entry into Force

This Agreement shall enter into force one month after the date on which the Authority notifies the Director General of the World Intellectual Property Organization that it is prepared to start functioning as an International Searching Authority and as an International Preliminary Examining Authority.

Article 10
Duration and Renewability

This Agreement shall remain in force until December 31, 2017. The parties to this Agreement shall, no later than July 2016, start negotiations for its renewal.

Article 11
Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes to this Agreement by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(3) The Authority may, by a notification to the Director General of the World Intellectual Property Organization:

- (i) add to the indications of States and languages contained in Annex A to this Agreement;
- (ii) amend the schedule of fees and charges contained in Annex C to this Agreement;
- (iii) amend the indications of languages of correspondence contained in Annex D to this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any increase of fees or charges contained in Annex C, that date is at least one month later than the date on which the notification is received by the International Bureau.

**Article 12
Termination**

- (1) This Agreement shall terminate before December 31, 2017:
- (i) if the Government of India gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or
 - (ii) if the Director General of the World Intellectual Property Organization gives the Government of India written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

In witness whereof the parties hereto have executed this Agreement.

Done at [city], this [date], in two originals in the English language.

For the Government of India by:

For the International Bureau by:

[signature]

[signature]

**Annex A
States and Languages**

Under Article 3 of the Agreement, the Authority specifies:

- (i) the following State for which it will act:
India;
- (ii) the following language which it will accept:
English.

**Annex B
Subject Matter Not Excluded from Search or Examination**

The subject matter set forth in Rule 39.1 or 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

all subject matter which is searched or examined under the Indian Patent Law administered by the Indian Patent Office.

Annex C
Fees and Charges

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (Indian rupees) |
|--|-----------------------------------|
| Search fee (Rule 16.1(a)) | [...] |
| Additional fee (Rule 40.2(a)): | |
| – where the international search report was issued by the Authority | [...] |
| – in other cases | [...] |
| Preliminary examination fee (Rule 58.1(b)) | [...] |
| Additional fee (Rule 68.3(a)) | [...] |
| Cost of copies (Rules 44.3(b), 71.2(b) and 94.2) | [...] |

Part II. Conditions for and Extent of Refunds or Reductions of Fees

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the international application is withdrawn or considered withdrawn, under Article 14(1), (3) or (4), before the start of the international search, the amount of the search fee paid shall be fully refunded.

(3) Where the Authority benefits from an earlier search made by the Authority, 25% or 50% of the search fee paid shall be refunded, depending upon the extent to which the Authority benefits from that earlier search.

(4) In the cases provided for under Rule 58.3, the amount of the preliminary examination fee paid shall be fully refunded.

(5) Where the international application or the demand is withdrawn before the start of the international preliminary examination, the amount of the preliminary examination fee paid shall be fully refunded.

Annex D
Languages of Correspondence

Under Article 7 of the Agreement, the Authority specifies the following language:
English.

AGREEMENT
BETWEEN THE JAPAN PATENT OFFICE
AND THE INTERNATIONAL BUREAU
OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION

in relation to the functioning of the Japan Patent Office
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

Preamble

The Japan Patent Office and the International Bureau of the World Intellectual Property Organization,

Considering that the PCT Assembly, having heard the advice of the PCT Committee for Technical Cooperation, has appointed the Japan Patent Office as an International Searching and Preliminary Examining Authority under the Patent Cooperation Treaty and approved this Agreement in accordance with Articles 16(3) and 32(3),

Hereby agree as follows:

Article 1
Terms and Expressions

- (1) For the purposes of this Agreement:
- (a) “Treaty” means the Patent Cooperation Treaty;
 - (b) “Regulations” means the Regulations under the Treaty;
 - (c) “Administrative Instructions” means the Administrative Instructions under the Treaty;
 - (d) “Article” (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
 - (e) “Rule” means a Rule of the Regulations;
 - (f) “Contracting State” means a State party to the Treaty;
 - (g) “the Authority” means the Japan Patent Office;
 - (h) “the International Bureau” means the International Bureau of the World Intellectual Property Organization.

(2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2

Basic Obligations

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching Authority and International Preliminary Examining Authority as are provided under, the Treaty, the Regulations, the Administrative Instructions and this Agreement.

(2) In carrying out international search and international preliminary examination, the Authority shall apply and observe all the common rules of international search and of international preliminary examination and, in particular, shall be guided by the PCT International Search and Preliminary Examination Guidelines.

(3) The Authority shall maintain a quality management system in compliance with the requirements set out in the PCT International Search and Preliminary Examination Guidelines.

(4) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent considered to be appropriate by both the Authority and the International Bureau, mutual assistance in the performance of their functions thereunder.

Article 3

Competence of Authority

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant and that any other requirements regarding such application as specified in Annex A to this Agreement have been met.

(3) Where an international application is filed with the International Bureau as receiving Office under Rule 19.1(a)(iii), paragraphs (1) and (2) apply as if that application had been filed with a receiving Office which would have been competent under Rule 19.1(a)(i) or (ii), (b) or (c) or Rule 19.2(i).

Article 4
Subject Matter Not Required to Be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter specified in Annex B to this Agreement.

Article 5
Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, is set out in Annex C to this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement:

- (i) refund the whole or part of the search fee paid, or waive or reduce the search fee, where the international search report can be wholly or partly based on the results of an earlier search (Rules 16.3 and 41.1);
- (ii) refund the search fee where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement, refund the whole or part of the preliminary examination fee paid where the demand is considered as if it had not been submitted (Rule 58.3) or where the demand or the international application is withdrawn by the applicant before the start of the international preliminary examination.

Article 6
Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate solely the International Patent Classification.

Article 7
Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, other than with the International Bureau, the Authority shall use the language or one of the languages indicated, having regard to the language or languages indicated in Annex A and to the language or languages whose use is authorized by the Authority under Rule 92.2(b), in Annex D.

Article 8
International-Type Search

The Authority shall carry out international-type searches to the extent decided by it.

Article 9
Entry into Force

This Agreement shall enter into force on January 1, 2008.

Article 10
Duration and Renewability

This Agreement shall remain in force until December 31, 2017. The parties to this Agreement shall, no later than July 2016, start negotiations for its renewal.

Article 11
Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes to this Agreement by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(3) The Authority may, by a notification to the Director General of the World Intellectual Property Organization:

- (i) add to the indications of States and languages contained in Annex A to this Agreement;
- (ii) amend the schedule of fees and charges contained in Annex C to this Agreement;
- (iii) amend the indications of languages of correspondence contained in Annex D to this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any increase of fees or charges contained in Annex C, that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 12
Termination

- (1) This Agreement shall terminate before December 31, 2017:
- (i) if the Japan Patent Office gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or
 - (ii) if the Director General of the World Intellectual Property Organization gives the Japan Patent Office written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

In witness whereof the parties hereto have executed this Agreement.

Done at [city], this [date], in two originals in the English and Japanese languages, each text being equally authentic.

For the Japan Patent Office by:

For the International Bureau by:

[signature]

[signature]

Annex A
States and Languages

Under Article 3 of the Agreement, the Authority specifies:

- (i) the following States for which it will act, so far as Article 3(1) is concerned:
Japan, Philippines, Republic of Korea;
- (ii) the following States for which it will act, so far as Article 3(2) is concerned:
where the Authority has prepared the international search report, Japan, Philippines, Republic of Korea;
- (iii) the following languages which it will accept:
 - (a) for international applications filed with the receiving Office of, or acting for, Japan:
Japanese, English;
 - (b) for international applications filed with the receiving Office of, or acting for, Philippines:
English;
 - (c) for international applications filed with the receiving Office of, or acting for, Republic of Korea:
Japanese.

Annex B
Subject Matter Not Excluded from Search or Examination

The subject matter set forth in Rule 39.1 or 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

subject matter which is searched or examined in Japanese national applications.

Annex C
Fees and Charges

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (Japanese yen) |
|--|----------------------------------|
| Search fee (Rule 16.1(a)) | 97,000 |
| Additional fee (Rule 40.2(a)) | 78,000 |
| Preliminary examination fee (Rule 58.1(b)) | 36,000 |
| Additional fee (Rule 68.3(a)) | 21,000 |
| Cost of copies (Rules 44.3(b), 71.2(b) and 94.2), per document | 1,400 |

Part II. Conditions for and Extent of Refunds or Reductions of Fees

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the Authority benefits from an earlier search to a considerable extent, the amount of 41,000 Japanese yen shall be refunded, upon request.

(3) In the cases provided for under Rule 58.3, the amount of the preliminary examination fee paid shall be fully refunded.

(4) As long as the refund of the search fee (in the case where the international application is withdrawn or considered withdrawn, under Article 14(1), (3) or (4), before the start of the international search) and the refund of the preliminary examination fee (in the case where the international application or the demand is withdrawn before the start of the international preliminary examination) continue not to be compatible with the national law applicable to the Authority, the Authority may abstain from refunding those fees.

Annex D
Languages of Correspondence

Under Article 7 of the Agreement, the Authority specifies the following languages:
Japanese, English.

AGREEMENT
BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE
AND THE INTERNATIONAL BUREAU
OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION

in relation to the functioning of the Korean Intellectual Property Office
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

Preamble

The Korean Intellectual Property Office and the International Bureau of the World Intellectual Property Organization,

Considering that the PCT Assembly, having heard the advice of the PCT Committee for Technical Cooperation, has appointed the Korean Intellectual Property Office as an International Searching and Preliminary Examining Authority under the Patent Cooperation Treaty and approved this Agreement in accordance with Articles 16(3) and 32(3),

Hereby agree as follows:

Article 1
Terms and Expressions

- (1) For the purposes of this Agreement:
 - (a) “Treaty” means the Patent Cooperation Treaty;
 - (b) “Regulations” means the Regulations under the Treaty;
 - (c) “Administrative Instructions” means the Administrative Instructions under the Treaty;
 - (d) “Article” (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
 - (e) “Rule” means a Rule of the Regulations;
 - (f) “Contracting State” means a State party to the Treaty;
 - (g) “the Authority” means the Korean Intellectual Property Office;
 - (h) “the International Bureau” means the International Bureau of the World Intellectual Property Organization.

(2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2

Basic Obligations

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching Authority and International Preliminary Examining Authority as are provided under, the Treaty, the Regulations, the Administrative Instructions and this Agreement.

(2) In carrying out international search and international preliminary examination, the Authority shall apply and observe all the common rules of international search and of international preliminary examination and, in particular, shall be guided by the PCT International Search and Preliminary Examination Guidelines.

(3) The Authority shall maintain a quality management system in compliance with the requirements set out in the PCT International Search and Preliminary Examination Guidelines.

(4) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent considered to be appropriate by both the Authority and the International Bureau, mutual assistance in the performance of their functions thereunder.

Article 3

Competence of Authority

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(3) Where an international application is filed with the International Bureau as receiving Office under Rule 19.1(a)(iii), paragraphs (1) and (2) apply as if that application had been filed with a receiving Office which would have been competent under Rule 19.1(a)(i) or (ii), (b) or (c) or Rule 19.2(i).

Article 4
Subject Matter Not Required to Be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter specified in Annex B to this Agreement.

Article 5
Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, is set out in Annex C to this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement:

- (i) refund the whole or part of the search fee paid, or waive or reduce the search fee, where the international search report can be wholly or partly based on the results of an earlier search (Rules 16.3 and 41.1);
- (ii) refund the search fee where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement, refund the whole or part of the preliminary examination fee paid where the demand is considered as if it had not been submitted (Rule 58.3) or where the demand or the international application is withdrawn by the applicant before the start of the international preliminary examination.

Article 6
Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate solely the International Patent Classification.

Article 7
Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, other than with the International Bureau, the Authority shall use the language or one of the languages indicated, having regard to the language or languages indicated in Annex A and to the language or languages whose use is authorized by the Authority under Rule 92.2(b), in Annex D.

Article 8
International-Type Search

The Authority shall carry out international-type searches to the extent decided by it.

Article 9
Entry into Force

This Agreement shall enter into force on January 1, 2008.

Article 10
Duration and Renewability

This Agreement shall remain in force until December 31, 2017. The parties to this Agreement shall, no later than July 2016, start negotiations for its renewal.

Article 11
Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes to this Agreement by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(3) The Authority may, by a notification to the Director General of the World Intellectual Property Organization:

- (i) add to the indications of States and languages contained in Annex A to this Agreement;
- (ii) amend the schedule of fees and charges contained in Annex C to this Agreement;
- (iii) amend the indications of languages of correspondence contained in Annex D to this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any increase of fees or charges contained in Annex C, that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 12
Termination

- (1) This Agreement shall terminate before December 31, 2017:
- (i) if the Korean Intellectual Property Office gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or
 - (ii) if the Director General of the World Intellectual Property Organization gives the Korean Intellectual Property Office written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

In witness whereof the parties hereto have executed this Agreement.

Done at [city], this [date], in two originals in the English and Korean languages, each text being equally authentic.

For the Korean Intellectual Property Office For the International Bureau by:
by:

[signature]

[signature]

Annex A
States and Languages

Under Article 3 of the Agreement, the Authority specifies:

- (i) the following States for which it will act:
Republic of Korea;
Indonesia, Malaysia, Mongolia, New Zealand, Philippines, Singapore, United States of America, Viet Nam; and
any country that the Authority will specify;
- (ii) the following languages which it will accept:
Korean, English.

Annex B
Subject Matter Not Excluded from Search or Examination

The subject matter set forth in Rule 39.1 or 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

subject matter which is searched or examined in Korean national applications.

Annex C
Fees and Charges

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (Korean won) |
|---|--|
| Search fee (Rule 16.1(a)) | 225,000 |
| Additional fee (Rule 40.2(a)) | 225,000 |
| Preliminary examination fee (Rule 58.1(b)) | 225,000 |
| Additional fee (Rule 68.3(a)) | 225,000 |
| Late payment fee for preliminary examination | [amount as set out in Rule 58 <i>bis</i>] |
| Protest fee (Rules 40.2(e) and 68.3(e)) | 11,000 |
| Late furnishing fee (Rule 13 <i>ter</i> .1(c) and 13 <i>ter</i> .2) | 112,500 |
| Cost of copies (Rules 44.3(b), 71.2(b) and 94.2), per page | 100 |

Part II. Conditions for and Extent of Refunds or Reductions of Fees

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the international application is withdrawn or considered withdrawn, under Article 14(1), (3) or (4), before the start of the international search, the amount of the search fee paid shall be fully refunded.

(3) Where the Authority benefits from an earlier search, 75% of the search fee paid shall be refunded upon request by the applicant.

(4) In the cases provided for under Rule 58.3, the amount of the preliminary examination fee paid shall be fully refunded.

(5) Where the international application or the demand is withdrawn before the start of the international preliminary examination, the amount of the preliminary examination fee paid shall be fully refunded.

Annex D
Languages of Correspondence

Under Article 7 of the Agreement, the Authority specifies the following languages:
Korean, English.

AGREEMENT
BETWEEN THE RUSSIAN FEDERAL SERVICE
FOR INTELLECTUAL PROPERTY, PATENTS AND TRADEMARKS
AND THE INTERNATIONAL BUREAU
OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION

in relation to the functioning of the Russian Federal Service
for Intellectual Property, Patents and Trademarks
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

Preamble

The Russian Federal Service for Intellectual Property, Patents and Trademarks and the International Bureau of the World Intellectual Property Organization,

Considering that the PCT Assembly, having heard the advice of the PCT Committee for Technical Cooperation, has appointed the Russian Federal Service for Intellectual Property, Patents and Trademarks as an International Searching and Preliminary Examining Authority under the Patent Cooperation Treaty and approved this Agreement in accordance with Articles 16(3) and 32(3),

Hereby agree as follows:

Article 1
Terms and Expressions

- (1) For the purposes of this Agreement:
- (a) “Treaty” means the Patent Cooperation Treaty;
 - (b) “Regulations” means the Regulations under the Treaty;
 - (c) “Administrative Instructions” means the Administrative Instructions under the Treaty;
 - (d) “Article” (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
 - (e) “Rule” means a Rule of the Regulations;
 - (f) “Contracting State” means a State party to the Treaty;
 - (g) “the Authority” means the Russian Federal Service for Intellectual Property, Patents and Trademarks;
 - (h) “the International Bureau” means the International Bureau of the World Intellectual Property Organization.

(2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2 **Basic Obligations**

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching Authority and International Preliminary Examining Authority as are provided under, the Treaty, the Regulations, the Administrative Instructions and this Agreement.

(2) In carrying out international search and international preliminary examination, the Authority shall apply and observe all the common rules of international search and of international preliminary examination and, in particular, shall be guided by the PCT International Search and Preliminary Examination Guidelines.

(3) The Authority shall maintain a quality management system in compliance with the requirements set out in the PCT International Search and Preliminary Examination Guidelines.

(4) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent considered to be appropriate by both the Authority and the International Bureau, mutual assistance in the performance of their functions thereunder.

Article 3 **Competence of Authority**

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any Contracting State, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any Contracting State, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(3) Where an international application is filed with the International Bureau as receiving Office under Rule 19.1(a)(iii), paragraphs (1) and (2) apply as if that application had been filed with a receiving Office which would have been competent under Rule 19.1(a)(i) or (ii), (b) or (c) or Rule 19.2(i).

Article 4
Subject Matter Not Required to Be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter specified in Annex B to this Agreement.

Article 5
Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, is set out in Annex C to this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement:

- (i) refund the whole or part of the search fee paid, or waive or reduce the search fee, where the international search report can be wholly or partly based on the results of an earlier search (Rules 16.3 and 41.1);
- (ii) refund the search fee where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement, refund the whole or part of the preliminary examination fee paid where the demand is considered as if it had not been submitted (Rule 58.3) or where the demand or the international application is withdrawn by the applicant before the start of the international preliminary examination.

Article 6
Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate solely the International Patent Classification.

Article 7
Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, other than with the International Bureau, the Authority shall use the language or one of the languages indicated, having regard to the language or languages indicated in Annex A and to the language or languages whose use is authorized by the Authority under Rule 92.2(b), in Annex D.

Article 8
International-Type Search

The Authority shall carry out international-type searches to the extent decided by it.

Article 9
Entry into Force

This Agreement shall enter into force on January 1, 2008.

Article 10
Duration and Renewability

This Agreement shall remain in force until December 31, 2017. The parties to this Agreement shall, no later than July 2016, start negotiations for its renewal.

Article 11
Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes to this Agreement by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(3) The Authority may, by a notification to the Director General of the World Intellectual Property Organization:

- (i) add to the indications of languages contained in Annex A to this Agreement;
- (ii) amend the schedule of fees and charges contained in Annex C to this Agreement;
- (iii) amend the indications of languages of correspondence contained in Annex D to this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any increase of fees or charges contained in Annex C, that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 12
Termination

- (1) This Agreement shall terminate before December 31, 2017:
- (i) if the Russian Federal Service for Intellectual Property, Patents and Trademarks gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or
 - (ii) if the Director General of the World Intellectual Property Organization gives the Russian Federal Service for Intellectual Property, Patents and Trademarks written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

In witness whereof the parties hereto have executed this Agreement.

Done at [city], this [date], in two originals in the English and Russian languages, each text being equally authentic.

For the Russian Federal Service for
Intellectual Property, Patents and Trademarks
by:

For the International Bureau by:

[signature]

[signature]

Annex A
Languages

Under Article 3 of the Agreement, the Authority specifies the following languages:
Russian, English.

Annex B
Subject Matter Not Excluded from Search or Examination

The subject matter set forth in Rule 39.1 or 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

all subject matter searched or examined under national patent law administered by the Russian Federal Service for Intellectual Property, Patents and Trademarks.

Annex C
Fees and Charges

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (US dollars) |
|--|--------------------------------|
| Search fee (Rule 16.1(a)) ¹ | 500 |
| Additional fee (Rule 40.2(a)) ² | 500 |
| Preliminary examination fee (Rule 58.1(b)): ² | |
| – if the international search report has been prepared by the Authority | 200 |
| – if the international search report has been prepared by another International Searching Authority | 300 |
| Additional fee (Rule 68.3(a)): ² | |
| – if the international search report has been prepared by the Authority | 200 |
| – if the international search report has been prepared by another International Searching Authority | 300 |
| Late furnishing fee (Rule 13ter.1(c)) ² | 150 |
| Cost of copies of cited documents (except for documents transmitted to the applicant along with the international search report or preliminary examination report) (Rules 44.3(b) and 71.2(b)): ² | |
| – patent document, per page | 0.30 |
| – non-patent document, per page | 1.20 |
| Cost of copies of document contained in the file of the international application (Rule 94.2), per page ² | 3.00 |

Part II. Conditions for and Extent of Refunds or Reductions of Fees

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the international application is withdrawn or considered withdrawn, under Article 14(1), (3) or (4), or Rules 90bis.1(a) or 90bis.2(c) before the start of the international search, the amount of the search fee paid shall be fully refunded.

(3) Where the Authority benefits from an earlier international, international-type or other search report prepared by it, the following amount of the search fee shall be refunded:

¹ If payment is made to a receiving Office which accepts payments in Russian roubles, the applicant may, instead of paying the US dollar amount, pay the equivalent amount in Russian roubles at the exchange rate applicable, on the date of payment, at the Central Bank of the Russian Federation.

² The applicant may, instead of paying the US dollar amount, pay the equivalent amount in Russian roubles at the exchange rate applicable, on the date of payment, at the Central Bank of the Russian Federation.

- (i) 75%, if no additional search is required;
- (ii) 50%, if the additional search is confirmed by documents relating to one or two additional IPC subgroups;
- (iii) 25%, if the additional search is confirmed by documents relating to new aspects of the claimed invention.

(4) In the cases provided for under Rule 58.3, the amount of the preliminary examination fee paid shall be fully refunded.

(5) Where the international application or the demand is withdrawn before the start of the international preliminary examination, the amount of the preliminary examination fee paid shall be fully refunded.

Annex D **Languages of Correspondence**

Under Article 7 of the Agreement, the Authority specifies the following languages:

Russian or English, depending on the language in which the international application is filed or translated, or at the applicant's choice.

AGREEMENT
BETWEEN THE SWEDISH PATENT AND REGISTRATION OFFICE
AND THE INTERNATIONAL BUREAU
OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION

in relation to the functioning of the Swedish Patent and Registration Office
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

Preamble

The Swedish Patent and Registration Office and the International Bureau of the World Intellectual Property Organization,

Considering that the PCT Assembly, having heard the advice of the PCT Committee for Technical Cooperation, has appointed the Swedish Patent and Registration Office as an International Searching and Preliminary Examining Authority under the Patent Cooperation Treaty and approved this Agreement in accordance with Articles 16(3) and 32(3),

Hereby agree as follows:

Article 1
Terms and Expressions

- (1) For the purposes of this Agreement:
- (a) “Treaty” means the Patent Cooperation Treaty;
 - (b) “Regulations” means the Regulations under the Treaty;
 - (c) “Administrative Instructions” means the Administrative Instructions under the Treaty;
 - (d) “Article” (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
 - (e) “Rule” means a Rule of the Regulations;
 - (f) “Contracting State” means a State party to the Treaty;
 - (g) “the Authority” means the Swedish Patent and Registration Office;
 - (h) “the International Bureau” means the International Bureau of the World Intellectual Property Organization.

(2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2 **Basic Obligations**

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching Authority and International Preliminary Examining Authority as are provided under, the Treaty, the Regulations, the Administrative Instructions and this Agreement.

(2) In carrying out international search and international preliminary examination, the Authority shall apply and observe all the common rules of international search and of international preliminary examination and, in particular, shall be guided by the PCT International Search and Preliminary Examination Guidelines.

(3) The Authority shall maintain a quality management system in compliance with the requirements set out in the PCT International Search and Preliminary Examination Guidelines.

(4) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent considered to be appropriate by both the Authority and the International Bureau, mutual assistance in the performance of their functions thereunder.

Article 3 **Competence of Authority**

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(3) Where an international application is filed with the International Bureau as receiving Office under Rule 19.1(a)(iii), paragraphs (1) and (2) apply as if that application had been filed with a receiving Office which would have been competent under Rule 19.1(a)(i) or (ii), (b) or (c) or Rule 19.2(i).

Article 4
Subject Matter Not Required to Be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter specified in Annex B to this Agreement.

Article 5
Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, is set out in Annex C to this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement:

- (i) refund the whole or part of the search fee paid, or waive or reduce the search fee, where the international search report can be wholly or partly based on the results of an earlier search (Rules 16.3 and 41.1);
- (ii) refund the search fee where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement, refund the whole or part of the preliminary examination fee paid where the demand is considered as if it had not been submitted (Rule 58.3) or where the demand or the international application is withdrawn by the applicant before the start of the international preliminary examination.

Article 6
Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate solely the International Patent Classification.

Article 7
Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, other than with the International Bureau, the Authority shall use the language or one of the languages indicated, having regard to the language or languages indicated in Annex A and to the language or languages whose use is authorized by the Authority under Rule 92.2(b), in Annex D.

Article 8
International-Type Search

The Authority shall carry out international-type searches to the extent decided by it.

Article 9
Entry into Force

This Agreement shall enter into force on January 1, 2008.

Article 10
Duration and Renewability

This Agreement shall remain in force until December 31, 2017. The parties to this Agreement shall, no later than July 2016, start negotiations for its renewal.

Article 11
Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes to this Agreement by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(3) The Authority may, by a notification to the Director General of the World Intellectual Property Organization:

- (i) add to the indications of States and languages contained in Annex A to this Agreement;
- (ii) amend the schedule of fees and charges contained in Annex C to this Agreement;
- (iii) amend the indications of languages of correspondence contained in Annex D to this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any increase of fees or charges contained in Annex C, that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2017:

- (i) if the Swedish Patent and Registration Office gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

- (ii) if the Director General of the World Intellectual Property Organization gives the Swedish Patent and Registration Office written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

In witness whereof the parties hereto have executed this Agreement.

Done at [city], this [date], in two originals in the English language.

For the Swedish Patent and Registration
Office by:

For the International Bureau by:

[signature]

[signature]

Annex A States and Languages

Under Article 3 of the Agreement, the Authority specifies:

- (i) the following States for which it will act:
 - (a) Denmark, Finland, Iceland, Norway, Sweden;
 - (b) the States regarded as developing countries in conformity with the established practice of the General Assembly of the United Nations, provided that Sweden, in accordance with its obligations undertaken within the framework of the European Patent Organisation, has concluded with those States an agreement for that purpose;
- (ii) the following languages which it will accept:
 - (a) for international applications filed with the receiving Office of, or acting for, any State referred to in subparagraph (i)(a), above:
Danish, English, Finnish, Norwegian, Swedish;
 - (b) for international applications filed with the receiving Office of, or acting for, any State referred to in subparagraph (i)(b), above:
Danish, English, Finnish, French, Norwegian, Swedish.

Annex B Subject Matter Not Excluded from Search or Examination

The subject matter set forth in Rule 39.1 or 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

none.

Annex C
Fees and Charges

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (Swedish kronor) |
|--|------------------------------------|
| Search fee (Rule 16.1(a)) | 15,230 |
| Additional fee (Rule 40.2(a)) | 15,230 |
| Preliminary examination fee (Rule 58.1(b)) | 5,000 |
| Additional fee (Rule 68.3(a)) | 5,000 |
| Cost of copies (Rule 94.2), per page | 4 |
| Cost of copies in paper form (Rules 44.3(b) and 71.2(b)), ¹ per document | 50 |

Part II. Conditions for and Extent of Refunds or Reductions of Fees

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the international application is withdrawn or considered withdrawn, under Article 14(1), (3) or (4), before the start of the international search, the amount of the search fee paid shall be fully refunded.

(3) Where the Authority benefits from an earlier international or international-type search, 50% or 100% of the search fee paid according to Part I shall be refunded, depending upon the extent to which the Authority benefits from that earlier search.

(4) Where on an earlier application, the priority of which is claimed, a search report has been issued by the Danish Patent Office, the Icelandic Patent Office, the National Board of Patents and Registration of Finland or the Norwegian Patent Office, and where the Authority benefits from that search report, the amount of SEK 1,400 shall be refunded in respect of the search fee paid according to Part I. Where on an earlier application, the priority of which is claimed, a search report has been issued by the Swedish Patent and Registration Office, and where the Authority benefits from that search report, the amount of SEK 2,800 shall be refunded in respect of the search fee paid according to Part I.

(5) In the cases provided for under Rule 58.3, the following amount of the preliminary examination fee shall be refunded:

- (a) refund of the full amount paid where Rule 54.4(a), 57.4(c) or 58.2(c) applies;
- (b) refund of the amount paid less the current amount of transmittal fee, where Rule 60.1(c) applies.

¹ The applicant will receive free of charge a copy of each document containing non-patent literature. Other documents are available electronically, free of charge, on the website www.prv.se.

(6) Where the international application or the demand is withdrawn before the start of the international preliminary examination, the amount of the preliminary examination fee paid shall be fully refunded.

Annex D
Languages of Correspondence

Under Article 7 of the Agreement, the Authority specifies the following languages:

Danish, English, Finnish, French, Norwegian or Swedish, depending on the language in which the international application is filed or translated; however, English or Swedish may be used in all cases.

AGREEMENT
BETWEEN THE UNITED STATES PATENT AND TRADEMARK OFFICE
AND THE INTERNATIONAL BUREAU
OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION

in relation to the functioning of the United States Patent and Trademark Office
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

Preamble

The United States Patent and Trademark Office and the International Bureau of the World Intellectual Property Organization,

Considering that the PCT Assembly, having heard the advice of the PCT Committee for Technical Cooperation, has appointed the United States Patent and Trademark Office as an International Searching and Preliminary Examining Authority under the Patent Cooperation Treaty and approved this Agreement in accordance with Articles 16(3) and 32(3),

Hereby agree as follows:

Article 1
Terms and Expressions

- (1) For the purposes of this Agreement:
- (a) “Treaty” means the Patent Cooperation Treaty;
 - (b) “Regulations” means the Regulations under the Treaty;
 - (c) “Administrative Instructions” means the Administrative Instructions under the Treaty;
 - (d) “Article” (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
 - (e) “Rule” means a Rule of the Regulations;
 - (f) “Contracting State” means a State party to the Treaty;
 - (g) “the Authority” means the United States Patent and Trademark Office;
 - (h) “the International Bureau” means the International Bureau of the World Intellectual Property Organization.

(2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2

Basic Obligations

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching Authority and International Preliminary Examining Authority as are provided under, the Treaty, the Regulations, the Administrative Instructions and this Agreement.

(2) In carrying out international search and international preliminary examination, the Authority shall apply and observe all the common rules of international search and of international preliminary examination and, in particular, shall be guided by the PCT International Search and Preliminary Examination Guidelines.

(3) The Authority shall maintain a quality management system in compliance with the requirements set out in the PCT International Search and Preliminary Examination Guidelines.

(4) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent considered to be appropriate by both the Authority and the International Bureau, mutual assistance in the performance of their functions thereunder.

Article 3

Competence of Authority

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant and that any other requirements regarding such application as specified in Annex A to this Agreement have been met.

(3) Where an international application is filed with the International Bureau as receiving Office under Rule 19.1(a)(iii), paragraphs (1) and (2) apply as if that application had been filed with a receiving Office which would have been competent under Rule 19.1(a)(i) or (ii), (b) or (c) or Rule 19.2(i).

Article 4
Subject Matter Not Required to Be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter specified in Annex B to this Agreement.

Article 5
Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, is set out in Annex C to this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement:

- (i) refund the whole or part of the search fee paid, or waive or reduce the search fee, where the international search report can be wholly or partly based on the results of an earlier search (Rules 16.3 and 41.1);
- (ii) refund the search fee where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement, refund the whole or part of the preliminary examination fee paid where the demand is considered as if it had not been submitted (Rule 58.3) or where the demand or the international application is withdrawn by the applicant before the start of the international preliminary examination.

Article 6
Classification

The Authority shall indicate the International Patent Classification for the purposes of Rules 43.3(a) and 70.5(b) and may also apply the United States Patent Classification.

Article 7
Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, other than with the International Bureau, the Authority shall use the language or one of the languages indicated, having regard to the language or languages indicated in Annex A and to the language or languages whose use is authorized by the Authority under Rule 92.2(b), in Annex D.

Article 8
International-Type Search

The Authority shall carry out international-type searches to the extent decided by it.

Article 9
Entry into Force

This Agreement shall enter into force on January 1, 2008.

Article 10
Duration and Renewability

This Agreement shall remain in force until December 31, 2017. The parties to this Agreement shall, no later than July 2016, start negotiations for its renewal.

Article 11
Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes to this Agreement by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(3) The Authority may, by a notification to the Director General of the World Intellectual Property Organization:

- (i) add to the indications of States and languages contained in Annex A to this Agreement;
- (ii) amend the schedule of fees and charges contained in Annex C to this Agreement;
- (iii) amend the indications of languages of correspondence contained in Annex D to this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any increase of fees or charges contained in Annex C, that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2017:

- (i) if the United States Patent and Trademark Office gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

- (ii) if the Director General of the World Intellectual Property Organization gives the United States Patent and Trademark Office written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

In witness whereof the parties hereto have executed this Agreement.

Done at [city], this [date], in two originals in the English language.

For the United States Patent and Trademark Office by: For the International Bureau by:

[signature]

[signature]

Annex A States and Languages

Under Article 3 of the Agreement, the Authority specifies:

- (i) the following States for which it will act, so far as Article 3(1) is concerned:
United States of America, Barbados, Brazil, Dominican Republic, Egypt, India, Israel, Mexico, New Zealand, Philippines, Saint Lucia, South Africa, Trinidad and Tobago;
- (ii) the following States for which it will act, so far as Article 3(2) is concerned:
United States of America and,
where the Authority has prepared the international search report, Barbados, Brazil, Dominican Republic, Egypt, India, Israel, Mexico, New Zealand, Philippines, Saint Lucia, South Africa, Trinidad and Tobago;
- (iii) the following language which it will accept:
English.

Annex B Subject Matter Not Excluded from Search or Examination

The subject matter set forth in Rule 39.1 or 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

subject matter which is searched or examined in United States national applications.

Annex C
Fees and Charges

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (US dollars) |
|--|--------------------------------|
| Search fee (Rule 16.1(a)) | 1,800 |
| Additional search fee (Rule 40.2(a)) | 1,800 |
| Preparation of an international-type search report on a United States national application | 40 |
| Preliminary examination fee (Rule 58.1(b)): | |
| – where the international search fee has been paid on the international application to the Authority | 600 |
| – where the international search was carried out by another Authority | 750 |
| Additional examination fee (Rule 68.3(a)) | 600 |
| Cost of copies (Rule 94.2): | |
| – US patent, per copy | 3 |
| – non-US patent document, per copy | 25 |

Part II. Conditions for and Extent of Refunds or Reductions of Fees

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the international application is withdrawn or considered withdrawn, under Article 14(1), (3) or (4), before the start of the international search, the amount of the search fee paid shall be fully refunded.

(3) Where the demand is considered, under Rule 54.4(a), 57.4(c), 58.2(c) or 60.1(c), as if it had not been submitted, the amount of the preliminary examination fee paid shall be fully refunded.

(4) Where the international application or the demand is withdrawn before the start of the international preliminary examination, the amount of the preliminary examination fee paid, less a processing fee equivalent to the transmittal fee under Rule 14.1(b), shall be refunded.

Annex D
Languages of Correspondence

Under Article 7 of the Agreement, the Authority specifies the following language:
English.

AGREEMENT
BETWEEN THE NORDIC PATENT INSTITUTE
AND THE INTERNATIONAL BUREAU
OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION

in relation to the functioning of the Nordic Patent Institute
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

Preamble

The Nordic Patent Institute and the International Bureau of the World Intellectual Property Organization,

Considering that the PCT Assembly, having heard the advice of the PCT Committee for Technical Cooperation, has appointed the Nordic Patent Institute as an International Searching and Preliminary Examining Authority under the Patent Cooperation Treaty and approved this Agreement in accordance with Articles 16(3) and 32(3),

Hereby agree as follows:

Article 1
Terms and Expressions

- (1) For the purposes of this Agreement:
- (a) “Treaty” means the Patent Cooperation Treaty;
 - (b) “Regulations” means the Regulations under the Treaty;
 - (c) “Administrative Instructions” means the Administrative Instructions under the Treaty;
 - (d) “Article” (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
 - (e) “Rule” means a Rule of the Regulations;
 - (f) “Contracting State” means a State party to the Treaty;
 - (g) “the Authority” means the Nordic Patent Institute;
 - (h) “the International Bureau” means the International Bureau of the World Intellectual Property Organization.

(2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2

Basic Obligations

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching Authority and International Preliminary Examining Authority as are provided under, the Treaty, the Regulations, the Administrative Instructions and this Agreement.

(2) In carrying out international search and international preliminary examination, the Authority shall apply and observe all the common rules of international search and of international preliminary examination and, in particular, shall be guided by the PCT International Search and Preliminary Examination Guidelines.

(3) The Authority shall maintain a quality management system in compliance with the requirements set out in the PCT International Search and Preliminary Examination Guidelines.

(4) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent considered to be appropriate by both the Authority and the International Bureau, mutual assistance in the performance of their functions thereunder.

Article 3

Competence of Authority

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant and that any other requirements regarding such application as specified in Annex A to this Agreement have been met.

(3) Where an international application is filed with the International Bureau as receiving Office under Rule 19.1(a)(iii), paragraphs (1) and (2) apply as if that application had been filed with a receiving Office which would have been competent under Rule 19.1(a)(i) or (ii), (b) or (c) or Rule 19.2(i).

Article 4
Subject Matter Not Required to Be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter specified in Annex B to this Agreement.

Article 5
Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, is set out in Annex C to this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement:

- (i) refund the whole or part of the search fee paid, or waive or reduce the search fee, where the international search report can be wholly or partly based on the results of an earlier search (Rules 16.3 and 41.1);
- (ii) refund the search fee where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement, refund the whole or part of the preliminary examination fee paid where the demand is considered as if it had not been submitted (Rule 58.3) or where the demand or the international application is withdrawn by the applicant before the start of the international preliminary examination.

Article 6
Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate solely the International Patent Classification.

Article 7
Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, other than with the International Bureau, the Authority shall use the language or one of the languages indicated, having regard to the language or languages indicated in Annex A and to the language or languages whose use is authorized by the Authority under Rule 92.2(b), in Annex D.

Article 8
International-Type Search

The Authority shall carry out international-type searches to the extent decided by it.

Article 9
Entry into Force

This Agreement shall enter into force one month after the date on which the Authority notifies the Director General of the World Intellectual Property Organization that it is prepared to start functioning as an International Searching Authority and as an International Preliminary Examining Authority.

Article 10
Duration and Renewability

This Agreement shall remain in force until December 31, 2017. The parties to this Agreement shall, no later than July 2016, start negotiations for its renewal.

Article 11
Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes to this Agreement by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(3) The Authority may, by a notification to the Director General of the World Intellectual Property Organization:

- (i) add to the indications of States and languages contained in Annex A to this Agreement;
- (ii) amend the schedule of fees and charges contained in Annex C to this Agreement;
- (iii) amend the indications of languages of correspondence contained in Annex D to this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any increase of fees or charges contained in Annex C, that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 12
Termination

- (1) This Agreement shall terminate before December 31, 2017:
- (i) if the Nordic Patent Institute gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement;
or
 - (ii) if the Director General of the World Intellectual Property Organization gives the Nordic Patent Institute written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

In witness whereof the parties hereto have executed this Agreement.

Done at [city], this [date], in two originals in the Danish, English, Icelandic and Norwegian languages, each text being equally authentic.

For the Nordic Patent Institute by:

For the International Bureau by:

[signature]

[signature]

Annex A
States and Languages

Under Article 3 of the Agreement, the Authority specifies:

- (i) the following States for which it will act:
 - (a) Denmark, Iceland, Norway;
 - (b) any other Contracting State in accordance with the obligations of Denmark, Iceland and Norway within the framework of the European Patent Organisation;
- (ii) the following languages which it will accept:
Danish, English, Icelandic, Norwegian and Swedish.

Annex B
Subject Matter Not Excluded from Search or Examination

The subject matter set forth in Rule 39.1 or 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

all subject matter searched or examined under the national patent grant procedure under the provisions of the Danish, Icelandic and Norwegian Patent Laws.

Annex C
Fees and Charges

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (Danish kroner) |
|---|-----------------------------------|
| Search fee (Rule 16.1(a)) | 12,040 |
| Additional fee (Rule 40.2(a)) | 12,040 |
| Preliminary examination fee (Rule 58.1(b)) | 5,000 |
| Additional fee (Rule 68.3(a)) | 5,000 |
| Protest fee (Rules 40.2(e) and 68.3(e)) | 8,000 |
| Cost of copies in paper form (Rules 44.3(b) and 71.2(b)), per document | 50 |
| Cost of copies (Rule 94.2), per page | 3.25 |

Part II. Conditions for and Extent of Refunds or Reductions of Fees

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the international application is withdrawn or considered withdrawn, under Article 14(1), (3) or (4), before the start of the international search, the amount of the search fee paid shall be fully refunded.

(3) Where the Authority benefits from an earlier international or international-type search, 50% of the search fee paid according to Part I shall be refunded.

(4) Where on an earlier application, the priority of which is claimed, a search report has been issued by the Danish Patent Office, the Icelandic Patent Office, the Norwegian Patent Office or the Swedish Patent Office, and where the Authority benefits from that search report, the amount of 25% shall be refunded in respect of the search fee paid according to Part I.

(5) In the cases provided for under Rule 58.3, the following amount of the preliminary examination fee shall be refunded:

- (a) refund of the full amount paid where Rule 54.4, 54*bis*.1(b) or 58*bis*.1(b) applies;
- (b) refund of the amount paid less the current amount of transmittal fee, where Rule 60.1(c) applies.

(6) Where the international application or the demand is withdrawn before the start of the international preliminary examination, the amount of the preliminary examination fee shall be fully refunded.

Annex D
Languages of Correspondence

Under Article 7 of the Agreement, the Authority specifies the following languages:

Danish, English, Icelandic, Norwegian and Swedish, depending on the language in which the international application is filed or translated; however, English may be used in all cases.



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

19 December 2007

Notices and Information of a General Character

| | Page |
|---|------|
| Fees Payable under the PCT | |
| ES Spain | 280 |
| XN Nordic Patent Institute | 280 |
| Receiving Offices | |
| DK Denmark | 280 |
| IS Iceland | 281 |
| LA/IB Lao People's Democratic Republic/International Bureau | 281 |
| NO Norway | 281 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

FEES PAYABLE UNDER THE PCT

ES Spain

The **Spanish Patent and Trademark Office** has notified new amounts of fees, in **euro (EUR)**, payable to it as receiving Office and as designated (or elected) Office. These amounts, applicable from 1 January 2008, are as follows:

| | |
|--|-----------|
| Transmittal fee: | EUR 69.25 |
| Fee for priority document (PCT Rule 17.1(b)): | EUR 27.70 |
| National fee: | |
| For patent: | |
| Filing fee: | EUR 89.89 |
| For utility model: | |
| Filing fee: | EUR 89.89 |

[Updating of Annex C(ES) and of the National Chapter, Summary (ES) of the *PCT Applicant's Guide*]

XN Nordic Patent Institute

Further to the publication in Official Notices (PCT Gazette) of 13 December 2007, pages 272 to 278, of the Agreement between the **Nordic Patent Institute** and the International Bureau in relation to the functioning of the Institute as an International Searching and International Preliminary Examining Authority under the PCT, due to enter into force on 1 January 2008, and pursuant to PCT Rule 16.1(b), equivalent amounts of the search fee have been established in **Swiss francs (CHF)**, **euro (EUR)** and **US dollars (USD)**. These amounts, applicable from 1 January 2008, are CHF 2,667, EUR 1,615 and USD 2,274, respectively.

Furthermore, pursuant to PCT Rule 57.2(c), the equivalent amount of the handling fee has been established in **Danish kroner (DKK)**. This amount, also applicable from 1 January 2008, is DKK 900.

RECEIVING OFFICES

DK Denmark

The **Danish Patent and Trademark Office** has specified the Nordic Patent Institute, in addition to the European Patent Office (EPO) and the Swedish Patent and Registration Office, as competent International Searching and International Preliminary Examining Authority as from 1 January 2008 for international applications filed by nationals and residents of Denmark with the Danish Patent and Trademark Office as receiving Office.

[Updating of Annex C(DK) of the *PCT Applicant's Guide*]

IS Iceland

The **Icelandic Patent Office** has specified the Nordic Patent Institute, in addition to the European Patent Office (EPO) and the Swedish Patent and Registration Office, as competent International Searching and International Preliminary Examining Authority as from 1 January 2008 for international applications filed by nationals and residents of Iceland with the Icelandic Patent Office as receiving Office.

[Updating of Annex C(IS) of the *PCT Applicant's Guide*]

LA Lao People's Democratic Republic

IB International Bureau

The **International Bureau** acting for the **Department of Intellectual Property, Standardization and Metrology (Lao People's Democratic Republic)** has specified the European Patent Office (EPO) as competent International Searching and International Preliminary Examining Authority for international applications filed by nationals and residents of the Lao People's Democratic Republic with the International Bureau as receiving Office.

[Updating of Annex C(IB) of the *PCT Applicant's Guide*]

NO Norway

The **Norwegian Patent Office** has specified the Nordic Patent Institute, in addition to the European Patent Office (EPO) and the Swedish Patent and Registration Office, as competent International Searching and International Preliminary Examining Authority as from 1 January 2008 for international applications filed by nationals and residents of Norway with the Norwegian Patent Office as receiving Office.

[Updating of Annex C(NO) of the *PCT Applicant's Guide*]