



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

14 January 2010

Notices and Information of a General Character

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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.

MODIFICATIONS OF THE ADMINISTRATIVE INSTRUCTIONS UNDER THE PCT

NOTE PREPARED BY THE INTERNATIONAL BUREAU

Following consultation with interested Offices and Authorities pursuant to PCT Rule 89.2(b), modifications to Sections 715 and 716 of the Administrative Instructions under the PCT, as set out below, are promulgated with effect from 1 January 2010.

These modifications are intended to implement provisions of the PCT Regulations which permit the applicant to request that priority documents be obtained by receiving Offices and the International Bureau from digital libraries rather than having to be supplied directly by the applicant (PCT Rules 17.1(b-*bis*), 17.1(d), 66.7(a) and 91.1(e)).

All modifications will apply to international applications filed on or after 1 January 2010.

The consolidated text of the Administrative Instructions (PCT/AI/10) as in force from 1 January 2010 is available on the WIPO website at: www.wipo.int/pct/en/texts/pdf/ai.pdf.

TEXT OF THE MODIFICATIONS OF THE ADMINISTRATIVE INSTRUCTIONS

(as in force from 1 January 2010)

Section 715

Availability of Priority Documents from Digital Libraries

(a) For the purposes of Rules 17.1(b-*bis*), 17.1(d) (where appropriate, as applicable by virtue of Rules 17.1(c) and 82*ter*.1(b)), 66.7(a) (where appropriate, as applicable by virtue of Rule 43*bis*.1(b)) and 91.1(e), a priority document shall be considered to be available from a digital library to the receiving Office, the International Bureau, a designated Office, the International Searching Authority or the International Preliminary Examining Authority, as the case may be:

(i) if the Office or Authority concerned has notified the International Bureau, or the International Bureau has declared, as the case may be, that it is prepared to obtain priority documents from that digital library; and

(ii) the priority document concerned is held in that digital library and the applicant has, to the extent required by the procedures for accessing the relevant digital library, authorized the Office or Authority concerned or the International Bureau, as the case may be, to access that priority document.

(b) A notification to the International Bureau under paragraph 12 of the Framework Provisions for the Digital Access Service for Priority Documents by

(i) the International Bureau; or

(ii) an Office in its capacity as receiving Office, designated Office, International Searching Authority or International Preliminary Examining Authority,

that it is prepared to obtain priority documents via the Digital Access Service shall be taken as a declaration or notification under paragraph (a)(i) that the International Bureau or Office acting in the relevant capacity will obtain priority documents through the Digital Access Service from any digital library which has been the subject of a notification in accordance with paragraph 10 of the Framework Provisions, including libraries for which such a notification is subsequently made with effect prior to the date on which the Office or Bureau is requested to retrieve the priority document.

(c) An Office or Authority which has given a notification to the International Bureau under paragraph (a)(i) or (b) shall notify the International Bureau of any change in the information so notified.

(d) The International Bureau shall promptly publish in the Gazette any notification received by it under paragraph (a)(i) or (b) of this Section, any declaration made by it under paragraph (a)(i) or (b), and any change in the information so declared.

(e) The effective date of any change published under paragraph (d) shall be as specified by the Office or Authority concerned or by the International Bureau, as the case may be, provided that any change which restricts the ability of the applicant to request the Office, the Authority or the International Bureau to obtain a priority document from the digital library shall, except in the case where priority documents are no longer held in the digital library, not be effective earlier than two months after the date of publication of the change in the Gazette.

Section 716

Request that Priority Document Be Obtained from a Digital Library under Rule 17.1(b-bis)

(a) Any request under Rule 17.1(b-bis):

(i) shall identify the priority document concerned in accordance with Rule 4.10(a);

(ii) where the priority document is held in connection with another application which relied upon that priority document to support a priority claim and that digital library is to be accessed other than through the Digital Access Service for Priority Documents, and if so required by the receiving Office or the International Bureau, shall indicate the number of that other application; and

(iii) where applicable, shall be accompanied by the fee referred to in Rule 17.1(b-bis).

(b) Where the applicant, in accordance with Rule 17.1(b-bis) and paragraph (a) of this Section, requests the receiving Office or the International Bureau to obtain a priority document which, in accordance with Section 715(a), is considered to be available from a digital library to that Office or the International Bureau, but that Office or the International Bureau finds that the priority document is in fact not available to it, that Office or the International Bureau, as the case may be, shall notify the applicant, giving the opportunity to furnish the priority document to it, or to ensure that the document is made available to it from a digital library, within a time limit of not less than two months from the date of the notification or within the time limit specified in Rule 17.1(a), whichever time limit expires later. Where the priority document is furnished or becomes available to the Office or the International Bureau within that time limit, the requirements of Rule 17.1(b-bis) shall be considered to have been met. If the priority document is not so furnished or does not become available within that time limit, the request that the document be obtained from a digital library shall be considered not to have been made.

(c) Where the applicant requests the receiving Office or the International Bureau under Rule 17.1(b-*bis*) to obtain a priority document from a digital library but that request does not comply with the requirements of that Rule and paragraph (a) of this Section, or the priority document concerned is not considered to be available to that Office or the International Bureau in accordance with Section 715(a), that Office or the International Bureau, as the case may be, shall promptly inform the applicant accordingly.

WIPO DIGITAL ACCESS SERVICE FOR PRIORITY DOCUMENTS (DAS)

Using DAS with the PCT

With effect since 1 January 2010, and in accordance with Section 715(b)(i) of the Administrative Instructions under the PCT, the International Bureau is able to retrieve priority documents through the WIPO Digital Access Service for Priority Documents (DAS) for use with international applications filed under the PCT. A notification to this effect can be found on the WIPO website at: www.wipo.int/patentscope/en/pdocforum/participating.html.

This means that the applicant can request the International Bureau to retrieve a copy of an earlier application from DAS for use as a priority document instead of having to provide a certified copy, as long as:

(i) the document in question has been added to DAS by a participating “depositing Office” (see below); and

(ii) the applicant has indicated that the International Bureau should have access to that document, using the applicant portal at: https://webaccess.wipo.int/priority_documents/en/.

Background

The Offices (“depositing Offices”) which currently allow applicants to make applications available to DAS are: the Australian Patent Office, the International Bureau (for international applications filed with the International Bureau as receiving Office), the Japan Patent Office, the Korean Intellectual Property Office, the Spanish Patent and Trademark Office, the United Kingdom Intellectual Property Office (an operating name of the Patent Office) and the United States Patent and Trademark Office (USPTO).

Several more Offices are expected to join this system in the near future. Details of how to request any particular depositing Office to make a document available to DAS are available from the respective websites of those Offices.

The legal basis for recognition of priority documents retrieved by the International Bureau through DAS is PCT Rule 17.1(b-*bis*)(ii) in conjunction with Sections 715 and 716 of the Administrative Instructions.

The service under Rule 17.1(b) whereby the receiving Office will prepare a copy of a priority document which would be issued by it and send it directly to the International Bureau continues to apply and is not affected by the addition of this complementary service.

Using DAS for International Applications under the PCT

The International Bureau will recognize requests to obtain documents from DAS for any international application for which the 16-month time limit under Rule 17.1(b-*bis*) has not yet expired on 1 January 2010, provided that the applicant has taken all the necessary steps to ensure that the application has been made available to the International Bureau through the Service. Notably, as well as making sure that the document is available to DAS, the applicant needs to check the box in the applicant Web portal indicating that the International Bureau is permitted access to that document. Otherwise, the Bureau cannot retrieve the document.

The International Bureau does not charge any fee for this service, though the depositing Office may charge a fee for making the priority document available to the system in the first place.

Making the Request

A request for the International Bureau to obtain a priority document from DAS can be made in the following ways:

Paper applications

Tick the relevant box(es) in item 6 of the request form PCT/RO/101, as in force since 1 January 2010, available from: www.wipo.int/pct/en/forms/request/ed_request_2010.pdf.

Electronic applications and PCT-EASY filings

Pending the implementation of equivalent check-boxes in PCT-SAFE, include a letter to the International Bureau, clearly requesting that some or all of the priority documents be retrieved using DAS. The content of the letter should preferably be as follows, with no other matters dealt with in the letter:

“The International Bureau is requested to retrieve the priority documents for this international application using the WIPO Digital Access Service for Priority Documents.”

If only certain of the documents are available through this system, the letter should specify which priority documents are to be retrieved that way and that the other documents will either be forwarded by the receiving Office or else provided as certified copies in the conventional way.

Such a letter can be included in an application prepared using PCT-SAFE as follows:

- (i) In the “Contents” tab, select “Accompanying Items”.
- (ii) Select “Other” from the drop-down list of item types and type “p-doc retrieval” into the box to describe the item.
- (iii)(a) If filing a fully electronic application using PCT-SAFE, double-click on the item which appears in the Content Details list to open a dialog box allowing the file containing the letter to be attached (this should preferably be in PDF format where this is accepted by the relevant receiving Office or JPEG or TIFF otherwise).
- (b) If filing a PCT-EASY or PCT EASY/EFS Web application, double-click on the item and indicate that the document is enclosed.

International applications which have already been filed

Send a letter, which must reach the International Bureau prior to 16 months from the priority date, quoting the international application number and clearly requesting that some or all of the priority documents be retrieved using DAS. The content of the letter should preferably be as follows and be clearly marked as a separate section if any other issues are dealt with.

“The International Bureau is requested to retrieve [the priority documents] [the following priority documents] for international application PCT/XXyyyy/nnnnnn using the WIPO Digital Access Service for Priority Documents.”

Help

Support is available from the PCT-SAFE Help Desk (pctsafe.help@wipo.int), which acts as focal point for DAS related issues as well as for PCT-SAFE.

**INTERNATIONAL SEARCHING AUTHORITIES
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES**

AT Austria

Agreement between the Federal Minister of Transport, Innovation and Technology of the Republic of Austria and the International Bureau of the World Intellectual Property Organization¹ – Amendment to Annex C

The **Austrian Patent Office** has notified the International Bureau, in accordance with Article 11(2) of the above-mentioned Agreement, of amendments to Part I of Annex C thereof. These amendments entered into force on 1 January 2010. The amended Annex C reads as follows:

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

**“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))	1,700 ²
Additional fee (Rule 40.2(a))	1,700 ²
Preliminary examination fee (Rule 58.1(b))	1,675 ²
Additional fee (Rule 68.3(a))	1,675 ²
Protest fee (Rules 40.2(e) and 68.3(e))	[No change]
Cost of copies (Rules 44.3(b), 71.2(b) and 94.2), per page	[No change]

Part II. [No change]”

FEES PAYABLE UNDER THE PCT

AT Austria

The **Austrian Patent Office** has notified new amounts of the search fee (PCT Rule 16.1(a)) and of the additional fee (PCT Rule 40.2(a)), in **euro (EUR)**, payable to it as International Searching Authority. These amounts, applicable since 1 January 2010, are EUR 1,700 for each of the fees. They are 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 specified on the home page of the Office (see www.patentamt.at/Media/Infoblatt_Gebuehren.pdf).

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

Furthermore, the 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 since 1 January 2010, are EUR 1,675 for each of the fees. They are 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 specified on the home page of the Office (see www.patentamt.at/Media/Infoblatt_Gebuehren.pdf).

[Updating of Annex E(AT) of the *PCT Applicant’s Guide*]

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 specified on the home page of the Office (see www.patentamt.at/Media/Infoblatt_Gebuehren.pdf).

AU Australia

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **South African rand (ZAR)** has been established for the search fee for an international search carried out by the **Australian Patent Office**. This amount, applicable from 15 March 2010, is ZAR 11,060.

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



World Intellectual Property Organization

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21 January 2010

Notices and Information of a General Character

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**MEETINGS OF THE INTERNATIONAL PATENT COOPERATION UNION –
ASSEMBLY (FORTIETH (17TH ORDINARY) SESSION)**

NOTE PREPARED BY THE INTERNATIONAL BUREAU

A number of 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 fortieth (17th ordinary) session, which was held in Geneva from 22 September to 1 October 2009 as part of the meetings of the Assemblies of the Member States of WIPO.

Documents which were prepared for the Assembly, and which give detailed background information relating to the decisions that were taken, as well as the report of the session, are available on the WIPO website at: www.wipo.int/meetings/en/details.jsp?meeting_id=18653.

The amendments to the PCT Regulations will enter into force on 1 July 2010 and provide for:

(i) clarification as to the different types of limitations and conditions which an International Searching and Preliminary Examining Authority may wish to set in the applicable agreement under PCT Article 16(3)(b) with regard to its preparedness to carry out supplementary searches, as to the conditions of refund of the supplementary search handling fee and the supplementary search fee, and as to the currency and the inclusion in the Schedule of Fees annexed to the PCT Regulations of the fees referred to in PCT Rule 45*bis*.2 (amendments to PCT Rules 45*bis*.1, 45*bis*.2, 45*bis*.3, 45*bis*.5, 45*bis*.6, 45*bis*.9 and 96.1);

(ii) the obligation for applicants, when making amendments to the description, claims or drawings, to indicate the basis for those amendments in the application as filed (PCT Rules 46.5 and 66.8, and new PCT Rule 70.2(c-*bis*));

(iii) amendments of the procedure of the establishment of equivalent amounts of the search fee, the supplementary search fee, the international filing fee and the handling fee (PCT Rules 15.2, 15.3, 15.4, 15.5, 15.6, 16.1, 16*bis*.1, 19.4, 57.2, 57.4, 57.5 and 57.6).

The text of the amendments to the PCT Regulations is reproduced below. Other changes affecting the PCT system will be the subject of later publication.

AMENDMENTS OF THE REGULATIONS UNDER THE PCT

(to enter into force on 1 July 2010)

Rule 15

The International Filing Fee

15.1 [No change]

15.2 *Amount*

(a) [No change]

(b) The international filing fee shall be payable in the currency or one of the currencies prescribed by the receiving Office (“prescribed currency”).

(c) Where the prescribed currency is the Swiss franc, the receiving Office shall promptly transfer the said fee to the International Bureau in Swiss francs.

(d) Where the prescribed currency is a currency other than the Swiss franc and that currency:

(i) is freely convertible into Swiss francs, the Director General shall establish, for each receiving Office which prescribes such a currency for the payment of the international filing fee, an equivalent amount of that fee in the prescribed currency according to directives given by the Assembly, and the amount in that currency shall promptly be transferred by the receiving Office to the International Bureau;

(ii) is not freely convertible into Swiss francs, the receiving Office shall be responsible for the conversion of the international filing fee from the prescribed currency into Swiss francs and shall promptly transfer that fee in Swiss francs, in the amount set out in the Schedule of Fees, to the International Bureau. Alternatively, if the receiving Office so wishes, it may convert the international filing fee from the prescribed currency into euros or US dollars and promptly transfer the equivalent amount of that fee in euros or US dollars, as established by the Director General according to directives given by the Assembly as referred to in item (i), to the International Bureau.

15.3 *Time Limit for Payment; Amount Payable*

The international filing fee shall be paid to the receiving Office within one month from the date of receipt of the international application. The amount payable shall be the amount applicable on that date of receipt.

15.4 *Refund*

The receiving Office shall refund the international filing fee to the applicant:

(i) if the determination under Article 11(1) is negative,

(ii) if, before the transmittal of the record copy to the International Bureau, the international application is withdrawn or considered withdrawn, or

(iii) if, due to prescriptions concerning national security, the international application is not treated as such.

Rule 16

The Search Fee

16.1 *Right to Ask for a Fee*

(a) [No change]

(b) The search fee shall be collected by the receiving Office. The said fee shall be payable in the currency prescribed by that Office (“prescribed currency”).

(c) Where the prescribed currency is the currency in which the International Searching Authority has fixed the said fee (“fixed currency”), the receiving Office shall promptly transfer the said fee to that Authority in that currency.

(d) Where the prescribed currency is not the fixed currency and that currency:

(i) is freely convertible into the fixed currency, the Director General shall establish, for each receiving Office which prescribes such a currency for the payment of the search fee, an equivalent amount of that fee in the prescribed currency according to directives given by the Assembly, and the amount in that currency shall promptly be transferred by the receiving Office to the International Searching Authority;

(ii) is not freely convertible into the fixed currency, the receiving Office shall be responsible for the conversion of the search fee from the prescribed currency into the fixed currency and shall promptly transfer that fee in the fixed currency, in the amount fixed by the International Searching Authority, to the International Searching Authority.

(e) Where, in respect of the payment of the search fee in a prescribed currency, other than the fixed currency, the amount actually received under paragraph (d)(i) of this Rule by the International Searching Authority in the prescribed currency is, when converted by it into the fixed currency, less than that fixed by it, the difference will be paid to the International Searching Authority by the International Bureau, whereas, if the amount actually received is more, the difference will belong to the International Bureau.

(f) As to the time limit for payment of the search fee and the amount payable, the provisions of Rule 15.3 relating to the international filing fee shall apply *mutatis mutandis*.

16.2 and 16.3 [No change]

Rule 16bis
Extension of Time Limits for Payment of Fees

16bis.1 Invitation by the Receiving Office

(a) Where, by the time they are due under Rules 14.1(c), 15.3 and 16.1(f), the receiving Office finds that no fees were paid to it, or that the amount paid to it is insufficient to cover the transmittal fee, the international filing fee and the search fee, the receiving Office shall, subject to paragraph (d), invite the applicant to pay to it the amount required to cover those fees, together with, where applicable, the late payment fee under Rule 16bis.2, within a time limit of one month from the date of the invitation.

(b) and (c) [No change]

(d) Any payment received by the receiving Office before that Office sends the invitation under paragraph (a) shall be considered to have been received before the expiration of the time limit under Rule 14.1(c), 15.3 or 16.1(f), as the case may be.

(e) [No change]

16bis.2 [No change]

Rule 19
The Competent Receiving Office

19.1 to 19.3 [No change]

19.4 *Transmittal to the International Bureau as Receiving Office*

(a) and (b) [No change]

(c) For the purposes of Rules 14.1(c), 15.3 and 16.1(f), where the international application was transmitted to the International Bureau under paragraph (b), the date of receipt of the international application shall be considered to be the date on which the international application was actually received by the International Bureau. For the purposes of this paragraph, the last sentence of paragraph (b) shall not apply.

Rule 45bis
Supplementary International Searches

45bis.1 *Supplementary Search Request*

(a) to (c) [No change]

(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 restrict 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) [No change]

45bis.2 *Supplementary Search Handling Fee*

(a) to (c) [No change]

(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 international application is withdrawn or considered withdrawn, or the supplementary search request is withdrawn or is considered not to have been submitted under Rule 45bis.1(e).

45bis.3 *Supplementary Search Fee*

(a) to (c) [No change]

(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 international application is withdrawn or considered withdrawn, or the supplementary search request is withdrawn or is considered not to have been submitted under Rules 45bis.1(e) or 45bis.4(d).

(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 under Rule 45bis.5(g).

45bis.4 Checking of Supplementary Search Request; Correction of Defects; Late Payment of Fees; Transmittal to Authority Specified for Supplementary Search

(a) to (f) [No change]

45bis.5 Start, Basis and Scope of Supplementary International Search

(a) [No change]

(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 restricted 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) to (f) [No change]

(g) If the Authority specified for supplementary search finds that carrying out the search is entirely excluded by a limitation or condition referred to in Rule 45bis.9(a), other than a limitation under Article 17(2) as applicable by virtue of Rule 45bis.5(c), 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.

(h) The Authority specified for supplementary search may, in accordance with a limitation or condition referred to in Rule 45bis.9(a), decide to restrict the search to certain claims only, in which case the supplementary international search report shall so indicate.

45bis.6 Unity of Invention

(a) to (e) [No change]

(f) Paragraphs (a) to (e) shall apply *mutatis mutandis* where the Authority specified for supplementary search decides to restrict the supplementary international search in accordance with the second sentence of Rule 45bis.5(b) or with Rule 45bis.5(h), 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) or which relate to the claims and those parts of the international application for which the Authority will carry out a supplementary international search, respectively.

45bis.7 and 45bis.8 [No change]

45bis.9 *International Searching Authorities Competent to Carry Out Supplementary International Search*

(a) and (b) [No change]

(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, other than limitations under Article 17(2) as applicable by virtue of Rule 45bis.5(c), limitations as to the total number of supplementary international searches which will be carried out in a given period, and limitations to the effect that the supplementary international searches will not extend to any claim beyond a certain number of claims.

Rule 46 **Amendment of Claims before the International Bureau**

46.1 to 46.4 [No change]

46.5 *Form of Amendments*

(a) [No change]

(b) The replacement sheet or sheets shall be accompanied by a letter which:

(i) [no change]

(ii) shall identify the claims originally filed which, on account of the amendments, are cancelled;

(iii) shall indicate the basis for the amendments in the application as filed.

Rule 57 **The Handling Fee**

57.1 [No change]

57.2 *Amount*

(a) [No change]

(b) The handling fee shall be payable in the currency or one of the currencies prescribed by the International Preliminary Examining Authority (“prescribed currency”).

(c) Where the prescribed currency is the Swiss franc, the Authority shall promptly transfer the said fee to the International Bureau in Swiss francs.

(d) Where the prescribed currency is a currency other than the Swiss franc and that currency:

(i) is freely convertible into Swiss francs, the Director General shall establish, for each Authority which prescribes such a currency for the payment of the handling fee, an equivalent amount of that fee in the prescribed currency according to directives given by the Assembly, and the amount in that currency shall promptly be transferred by the Authority to the International Bureau;

(ii) is not freely convertible into Swiss francs, the Authority shall be responsible for the conversion of the handling fee from the prescribed currency into Swiss francs and shall promptly transfer that fee in Swiss francs, in the amount set out in the Schedule of Fees, to the International Bureau. Alternatively, if the Authority so wishes, it may convert the handling fee from the prescribed currency into euros or US dollars and promptly transfer the equivalent amount of that fee in euros or US dollars, as established by the Director General according to directives given by the Assembly as referred to in item (i), to the International Bureau.

57.3 [No change]

57.4 *Refund*

The International Preliminary Examining Authority shall refund the handling fee to the applicant:

(i) if the demand is withdrawn before the demand has been sent by that Authority to the International Bureau, or

(ii) if the demand is considered, under Rule 54.4 or 54bis.1(b), not to have been submitted.

Rule 66

Procedure before the International Preliminary Examining Authority

66.1 to 66.7 [No change]

66.8 *Form of Amendments*

(a) Subject to paragraph (b), when amending the description or the drawings, the applicant shall be required to submit a replacement sheet for every sheet of the international application which, on account of an amendment, differs from the sheet previously filed. The replacement sheet or sheets shall be accompanied by a letter which shall draw attention to the differences between the replaced sheets and the replacement sheets, shall indicate the basis for the amendment in the application as filed and shall preferably also explain the reasons for the amendment.

(b) and (c) [No change]

66.9 [No change]

Rule 70
International Preliminary Report on Patentability
by the International Preliminary Examining Authority
(International Preliminary Examination Report)

70.1 [No change]

70.2 *Basis of the Report*

(a) to (c) [No change]

(c-*bis*) If the claims, description or drawings have been amended but the replacement sheet or sheets were not accompanied by a letter indicating the basis for the amendment in the application as filed, as required under Rule 46.5(b)(iii) as applicable by virtue of Rule 66.8(c), or Rule 66.8(a), as applicable, the report may be established as if the amendment had not been made, in which case the report shall so indicate.

(d) and (e) [No change]

70.3 to 70.17 [No change]

Rule 96
The Schedule of Fees

96.1 *Schedule of Fees Annexed to Regulations*

The amounts of the fees referred to in Rules 15, 45*bis*.2 and 57 shall be expressed in Swiss currency. They shall be specified in the Schedule of Fees which is annexed to these Regulations and forms an integral part thereof.

**INFORMATION ON CONTRACTING STATES
RECEIVING OFFICES
INTERNATIONAL SEARCHING AUTHORITIES (SUPPLEMENTARY SEARCH)**

FI Finland

Information on the requirements of the **National Board of Patents and Registration of Finland** as International Searching Authority (Supplementary Search) is given in Annex SISA(FI), which is published on pages 20 and 21.

MD Republic of Moldova

The **State Agency on Intellectual Property (Republic of Moldova)** has notified changes concerning:

– the filing of documents by means of telecommunication (PCT Rule 92.4) – documents may now be filed by facsimile machine, by e-mail and in electronic form on diskette, CD or DVD;

– the types of national protection available via the PCT – this protection now applies to patents and short-term patents;

– the provisions relating to provisional protection after international publication where the designation is made for the purposes of a national patent – the publication of the translation into Moldovan of the international application gives the applicant provisional protection in the sense that he, upon grant of the patent, is entitled to damages (see Art. 43(3) and Art. 19 of the Law on the Protection of Patents for Inventions); international patent applications shall be published before the expiry of a time limit of six months from the date on which the national phase was entered (see Art. 49(4) of the Law on the Protection of Patents for Inventions);

– its requirements as to the time when the name and address of the inventor must be given if the Republic of Moldova is designated (or elected) – 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 a time limit fixed in the invitation.

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

TH Thailand

General information on **Thailand** as a Contracting State, as well as information on the requirements of the **Department of Intellectual Property (DPI)** as receiving Office, is given in Annexes B1(TH) and C(TH), which are published on pages 22 to 25.

US United States of America

Because of weather conditions, the **United States Patent and Trademark Office (USPTO)** was not open to the public for the purposes of the transaction of official business on 21 December 2009.

Consequently, pursuant to PCT Rule 80.5, if the expiration of any period during which any document or fee in connection with an international application was required to reach the United States Patent and Trademark Office (USPTO) fell on 21 December 2009, that period was extended so as to expire on 22 December 2009.

As regards other possible excuses of delay or loss in the mail due to the above weather conditions, of documents or letters addressed to the United States Patent and Trademark Office (USPTO), see PCT Rules 82.1 and 82.2.

SISA International Searching Authorities SISA
(Supplementary Search)¹
FI NATIONAL BOARD OF PATENTS FI
AND REGISTRATION OF FINLAND

Fees payable to the International Bureau: ²	Currency: Swiss franc (CHF)
Supplementary search fee (PCT Rule 45bis.3): ³	CHF 2,574
Supplementary search handling fee (PCT Rule 45bis.2):	CHF 200
Late payment fee (PCT Rule 45bis.4(c)):	CHF 100

Fees payable to the Authority:	Currency: Euro (EUR)
Fee for copies of documents cited in the supplementary international search report (PCT Rule 44.3):	The applicant receives, together with the supplementary international search report, a copy of each document cited in the report, free of charge. The fee for a second set of copies is EUR 20.

Conditions for refund and amount of refund of the supplementary search fee:	<p>Money paid by mistake, without cause, or in excess, will be refunded.</p> <p>The International Bureau shall refund this fee where the supplementary search request has not yet been transmitted to the Authority and the international application is withdrawn or considered withdrawn, or the supplementary search request is withdrawn or considered not to have been submitted (see PCT Rule 45bis.3(d)): refund of 100%</p> <p>The Authority shall refund this fee where the Authority benefits from an earlier national search, international search, supplementary international search or international-type search already carried out by the Authority, a Nordic patent authority or the European Patent Office on an application whose priority is claimed: refund of EUR 300</p> <p>The Authority shall refund this fee where the supplementary search request is considered not to have been submitted before the start of the supplementary international search (see PCT Rule 45bis.3(e)): refund of 100%</p>
--	---

Languages accepted for supplementary international search:	English, Finnish and Swedish
Subject matter that will not be searched:	The subject matter specified in items (i) to (vi) of PCT Rule 39.1 with the exception of subject matter which is searched under the national patent grant procedure under the provisions of the Finnish patent law

[Continued on next page]

¹ Supplementary international search is available only for international applications for which the 19-month time limit expires on or after 1 January 2010.

² For further details on the payment of fees to the International Bureau, see the WIPO web site at www.wipo.int/pct/en/fees/special.html.

³ This fee is fixed by the Authority in euro and will be revised from time to time to reflect currency fluctuations between the euro and the Swiss franc.

SISA **International Searching Authorities** **SISA**
 (Supplementary Search)⁴

FI **NATIONAL BOARD OF PATENTS** **FI**
 AND REGISTRATION OF FINLAND

[Continued]

Scope of documentation included in the supplementary international search:	In addition to PCT minimum documentation, the Authority shall include at least the documents held in its search collection in: Danish, Finnish, Norwegian and Swedish
Limitations on supplementary international search:	The Authority has no current limitations on its supplementary international search services.
Does the Authority require that nucleotide and/or amino acid sequence listings be furnished in electronic form (PCT Rule 13 <i>ter</i> .1)?	Yes
Which types of electronic medium does the Authority require?	CD-ROM, CD-R, DVD, DVD-R
Waiver of power of attorney:	
Has the Authority waived the requirement that a separate power of attorney be submitted?	Yes
Particular instances in which a separate power of attorney is required:	Upon appointment of, or for any paper submitted by, an agent or a common representative who was not indicated in the request form at the time of filing
Has the Authority waived the requirement that a copy of a general power of attorney be submitted?	Yes
Particular instances in which a copy of a general power of attorney is required:	Upon appointment of, or for any paper submitted by, an agent or a common representative who was not indicated in the request form at the time of filing

⁴ See footnote 1.

B1
TH

Information on Contracting States

B1
TH

THAILAND
General information

Name of Office:	Department of Intellectual Property (DIP)
Location and mailing address:	44/100 Nonthaburi 1 Road, Bangkasor, Muang, 11000 Nonthaburi, Thailand
Telephone:	(66-2) 547 4304
Facsimile machine:	(66-2) 547 4304
E-mail:	verasakm@moc.go.th
Internet:	www.ipthailand.org
Does the Office accept the filing of documents by means of telecommunication (PCT Rule 92.4)?	No
Does the Office send advance copies of notifications via e-mail in respect of international applications?	Yes
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
Competent receiving Office for nationals and residents of Thailand:	Department of Intellectual Property or International Bureau of WIPO, at the choice of the applicant (see Annex C)
Competent designated (or elected) Office if Thailand is designated (or elected):	Department of Intellectual Property
May Thailand be elected?	Yes (bound by Chapter II of the PCT)
Types of protection available via the PCT:	Patents, petty patents
Provisions of the law of Thailand concerning international-type search:	None
Provisional protection after international publication:	None

[Continued on next page]

B1

Information on Contracting States

B1

TH

THAILAND

TH

[Continued]

Information of interest if Thailand is designated (or elected)

Time when the name and address
of the inventor must be given
if Thailand 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 three months from the date of
receipt of the invitation.

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

Yes

C **Receiving Offices** **C**
TH **DEPARTMENT OF INTELLECTUAL** **TH**
PROPERTY (DIP)

Competent receiving Office for nationals and residents of:	Thailand	
Language in which international applications may be filed:	English, Thai ¹	
Language in which the request may be filed:	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	
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, the Office applies the “due care” criterion to such requests	
Competent International Searching Authority:	European Patent Office, Korean Intellectual Property Office, State Intellectual Property Office of the People’s Republic of China or United States Patent and Trademark Office	
Competent International Preliminary Examining Authority:	European Patent Office, ³ Korean Intellectual Property Office, State Intellectual Property Office of the People’s Republic of China or United States Patent and Trademark Office ³	
Fees payable to the receiving Office:	Currency: Baht (THB)	
Transmittal fee:	THB 3,000	
International filing fee: ⁴	Equivalent in THB of Swiss francs	1,330
Fee per sheet in excess of 30: ⁴	Equivalent in THB of Swiss francs	15
Reductions (under Schedule of Fees, item 4):		
PCT-EASY: ²	Equivalent in THB of Swiss francs	100

[Continued on next page]

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 the electronic file on a physical medium and the receiving Office accepts such filings, the total amount of the international filing fee is reduced (see “Fees payable to the receiving Office”).

³ This Authority is competent only if the international search is or has been performed by it.

⁴ This fee is reduced by 90% if certain conditions apply (see Annex C(IB)).

C **Receiving Offices** **C**
TH **DEPARTMENT OF INTELLECTUAL** **TH**
PROPERTY (DIP)

[Continued]

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

Currency: Baht (THB)
 See Annex (CN), (EP), (KR) or (US)

Search fee:

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

THB 50

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

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



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

28 January 2010

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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

AT Austria

Further to the announcement published in Official Notices (PCT Gazette) of 14 January 2010, page 7, notifying a new amount of the search fee for a search carried out by the **Austrian Patent Office**, and pursuant to PCT Rule 16.1(b), new equivalent amounts of the search fee have been established in **Swiss francs (CHF)**, **Korean won (KRW)**, **Singapore dollars (SGD)**, **US dollars (USD)** and **South African rand (ZAR)**. These amounts, applicable since 1 January 2010, are CHF 2,574, KRW 2,951,000, SGD 3,550, ZAR 18,560 and USD 2,515, respectively.

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

PT Portugal

The **National Institute of Industrial Property** has notified new amounts of the filing fee components of the national fee, in **euro (EUR)**, payable to it as designated (or elected) Office. These amounts, applicable since 14 October 2009, are as follows:

For patent:

Filing fee (including examination and publication):	EUR	50	(online)
	EUR	100	(on paper)

For utility model:

Filing fee:	EUR	50	(online)
	EUR	100	(on paper)
Examination fee:	EUR	75	(online)
	EUR	150	(on paper)

In addition, the time limit within which the applicant may still pay the national fee if this fee has not been paid within the time limit applicable under PCT Article 22 or 39(1) has changed from two months to one month, subject to the payment of a surcharge equal to 50% of the filing fee, also with effect since 14 October 2009.

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



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

4 February 2010

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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

CR Costa Rica

The **Registry of Industrial Property** has notified a reduction of 70% of the national filing fee for a patent, payable to it as designated (or elected) Office, where the application is filed by an inventor who is a natural person, by a small or medium-sized enterprise, by a public academic institution or by a public sector scientific and technological research institute. This reduction has been applicable since 25 April 2008.

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

PH Philippines

The **Intellectual Property Office** has notified changes in the definition of a small entity to which the reduced amounts of the national filing fee for a patent and for a utility model are applicable, as follows:

A small entity is any natural or legal person whose assets are worth 100,000,000 Philippine pesos (PHP) or less, or any entity, agency, office, bureau or unit of the Philippine government, including government-owned or controlled corporations, State universities and colleges and government-owned or government-run schools.

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

MEETINGS OF THE INTERNATIONAL PATENT COOPERATION UNION – ASSEMBLY (FORTIETH (17TH ORDINARY) SESSION)

NOTE PREPARED BY THE INTERNATIONAL BUREAU

In addition to the amendments to the PCT Regulations published in the Official Notices (PCT Gazette) of 21 January 2010, pages 10 *et seq.*, the Assembly of the International Patent Cooperation Union (PCT Union) approved at its fortieth (17th ordinary) session, held in Geneva from 22 September to 1 October 2009, a number of other changes affecting the PCT system. The said changes are outlined below.

Modifications of the Directives of the Assembly Relating to the Establishment of Equivalent Amounts of Certain Fees

These modifications will enter into force on 1 July 2010 and concern the procedure of the establishment of equivalent amounts of the search fee, the supplementary search fee, the international filing fee and the handling fee.

The text of the modified Directives is reproduced on pages 30 to 32.

Amendments of Article 11 of the agreements under PCT Article 16(3) between the International Bureau and Offices in relation to their functioning as International Searching and Preliminary Examining Authorities

These amendments will be included in the applicable agreements with effect from a date to be agreed upon by each Authority and the Director General, and concern the time limit within which Authorities would have to notify the International Bureau of any change in the currency or amount of fees or charges, any addition of fees or charges, or any change in the conditions for and the extent of refunds or reductions thereof.

The text of amended Article 11 of the agreements is reproduced on page 32.

Appointment of two new International Searching and Preliminary Examining Authorities

The Assembly:

– appointed the Egyptian Patent Office as an International Searching and Preliminary Examining Authority with effect from the entry into force of the required Agreement with the International Bureau until December 31, 2017, and approved the text of the draft Agreement between the Egyptian Academy of Scientific Research and Technology and the International Bureau,

– appointed the Israel Patent Office as an International Searching and Preliminary Examining Authority with effect from the entry into force of the required Agreement with the International Bureau until December 31, 2017, and approved the text of the draft Agreement between the Government of Israel and the International Bureau,

bringing the number of Offices which have been appointed as International Searching and Preliminary Examining Authorities to 17.

The text of the Agreement between the Egyptian Academy of Scientific Research and Technology and the International Bureau was signed on 30 September 2009, further to the adoption of the draft Agreement by the Assembly, and is reproduced as such on pages 33 to 38.

The text of the draft Agreement between the Government of Israel and the International Bureau is reproduced on pages 39 to 45.

**MODIFIED DIRECTIVES OF THE ASSEMBLY RELATING TO
THE ESTABLISHMENT OF EQUIVALENT AMOUNTS OF CERTAIN FEES**
(to enter into force on 1 July 2010)

The Assembly establishes in the following terms the directives relating to the establishment of equivalent amounts of the international filing fee, the handling fee, the search fee and the supplementary search fee (see Rules 15.2(d)(i), 16.1(d)(i), 45*bis*.3(b) and 57.2(d)(i)), it being understood that, in the light of experience, the Assembly may at any time modify these directives:

Establishment of Equivalent Amounts

(1) The equivalent amounts of the international filing fee and the handling fee in any currency other than Swiss franc, and of the search fee and the supplementary search fee in any currency other than the fixed currency, shall be established by the Director General, in the case of:

- (i) the international filing fee, after consultation with each receiving Office which prescribes payment of that fee in such currency;
- (ii) the search fee, after consultation with each receiving Office which prescribes payment of that fee in such currency;
- (iii) the handling fee, after consultation with each International Preliminary Examining Authority which prescribes payment of that fee in such currency.

In the case of the international filing fee, the search fee and the handling fee, the equivalent amounts shall be established according to the exchange rates prevailing on the day preceding the day on which the consultations are initiated by the Director General. In the case of the supplementary search fee, the equivalent amounts shall be established according to the exchange rates prevailing on the day on which the Director General receives the notification of the amount of the supplementary search fee or prevailing on the day two months prior to the entry into force of the supplementary search fee, whichever is the later.

- (2) The amounts so established shall be the equivalent, in round figures,
- (i) of the amount of the international filing fee and of the handling fee, respectively, in Swiss franc set out in the Schedule of Fees;
 - (ii) of the amount of the search fee and the supplementary search fee (if applicable) established by the International Searching Authority in the fixed currency.

They shall be notified by the International Bureau to each receiving Office, International Searching Authority and International Preliminary Examining Authority, as applicable, prescribing payment or establishing fees in the currency concerned and shall be published in the Gazette.

Establishment of New Equivalent Amounts Consequential on Changes in the Amount of the Fee Concerned

(3) Paragraphs (1) and (2) shall apply *mutatis mutandis* where the amount of the international filing fee, the handling fee, the search fee or the supplementary search fee is changed. The new equivalent amounts in the prescribed currencies shall be applied from the same date as the changed amount of the international filing fee or of the handling fee set out in the amended Schedule of Fees, or from the same date as the changed amount of the search fee or the supplementary search fee in the fixed currency.

Establishment of New Equivalent Amounts Consequential on Changes in Exchange Rates

(4) In the month of October of each year, the Director General shall, where applicable, after consultations with the Offices or Authorities referred to in paragraph (1), establish new equivalent amounts of the international filing fee, the handling fee, the search fee and the supplementary search fee according to the exchange rates prevailing on the first Monday in the

month of October. Unless otherwise decided by the Director General, any adjustment under this paragraph shall enter into force on the first day of the subsequent calendar year.

(5) Where, for more than four consecutive Fridays (midday, Geneva time), the exchange rate between Swiss franc (in the case of the international filing fee and the handling fee) or the fixed currency (in the case of the search fee and the supplementary search fee) and any applicable prescribed currency is by at least 5% higher, or by at least 5% lower, than the last exchange rate applied, the Director General shall, where applicable, after consultations with the Offices or Authorities referred to in paragraph (1), establish new equivalent amounts of the international filing fee, the search fee, the supplementary search fee and/or the handling fee, as applicable, according to the exchange rate prevailing on the first Monday following the expiration of the period referred to in the first sentence of this paragraph. The newly established amount shall become applicable two months after the date of its publication in the Gazette, provided that the receiving Offices or the International Preliminary Examining Authorities concerned, as applicable, and the Director General may agree on a date falling during the said two-month period, in which case the said amount shall become applicable from that date.

**AMENDED ARTICLE 11 OF THE AGREEMENTS UNDER PCT ARTICLE 16(3)
BETWEEN THE INTERNATIONAL BUREAU AND OFFICES
IN RELATION TO THEIR FUNCTIONING AS INTERNATIONAL SEARCHING
AND PRELIMINARY EXAMINING AUTHORITIES**

**Article 11
Amendment**

(1) [No change]

(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; and, notwithstanding paragraph (4), they shall take effect on the date agreed upon by them.

(3) [No change]

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any change in the currency or amount of fees or charges contained in Annex C, for any addition of new fees or charges, and for any change in the conditions for and the extent of refunds or reductions of fees contained in Annex C, that date is at least two months later than the date on which the notification is received by the International Bureau.

**AGREEMENT
BETWEEN THE EGYPTIAN ACADEMY OF SCIENTIFIC RESEARCH
AND TECHNOLOGY
AND THE INTERNATIONAL BUREAU
OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION**

in relation to the functioning of the Egyptian Patent Office
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

Preamble

The Egyptian Academy of Scientific Research and Technology 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 Egyptian 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 Egyptian 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 a date to be notified to the Director General of the World Intellectual Property Organization by the Authority, that date being at least one month later than the date on which the notification is made.

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; and, notwithstanding paragraph (4), 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 change in the currency or amount of fees or charges contained in Annex C, for any addition of new fees or charges, and for any change in the conditions for and the extent of refunds or reductions of fees contained in Annex C, that date is at least two months 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 Egyptian Academy of Scientific Research and Technology 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 Egyptian Academy of Scientific Research and Technology 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 Geneva, this thirtieth day of September two thousand and nine, in two originals in the Arabic and English languages, each text being equally authentic.

For the Egyptian Academy of Scientific
Research and Technology 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:
any Contracting State;
- (ii) the following languages which it will accept:
 - (a) Arabic or English for international applications filed with the receiving Office of, or acting for any member of the League of Arab States or any African State;
 - (b) Arabic for international applications filed with any other receiving Office.

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 Egyptian national applications.

Annex C
Fees and Charges

Part I. Schedule of Fees and Charges

Kind of fee or charge	Amount (Egyptian pounds)
Search fee (Rule 16.1(a))	1,600
Additional fee (Rule 40.2(a))	1,600
Preliminary examination fee (Rule 58.1(b))	1,600
Additional fee (Rule 68.3(a))	1,600
Late payment fee for preliminary examination	[amount as set out in Rule 58bis]
Protest fee (Rules 40.2(e) and 68.3(e))	1,760
Late furnishing fee (Rules 13ter.1(c) and 13ter.2)	1,600
Cost of copies (Rules 44.3(b), 71.2(b) and 94.2), per page	8

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 taken into account in accordance with Rule 4.12, [50%] 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:

Arabic and/or English.

**DRAFT AGREEMENT
BETWEEN THE GOVERNMENT OF ISRAEL
AND THE INTERNATIONAL BUREAU
OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION**

in relation to the functioning of the Israel Patent Office
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

Preamble

The Government of Israel 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 Israel 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 Israel 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 a date to be notified to the Director General of the World Intellectual Property Organization by the Authority, that date being at least one month later than the date on which the notification is made.

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; and, notwithstanding paragraph (4), 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 change in the currency or amount of fees or charges contained in Annex C, for any addition of new fees or charges, and for any change in the conditions for and the extent of refunds or reductions of fees contained in Annex C, that date is at least two months 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 Israel 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 Israel 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], which corresponds to [date] of the Jewish year [...] in two originals in the English and Hebrew languages, each text being equally authentic.

For the Government of Israel 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:
Israel;
- (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 in Israeli national applications.

Annex C
Fees and Charges

Part I. Schedule of Fees and Charges

Kind of fee or charge	Amount (Israeli new sheqel)
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))	[...]
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))	[...]
Late furnishing fee (Rules 13 <i>ter</i> .1(c) and 13 <i>ter</i> .2)	[...]
Cost of copies (Rules 44.3(b), 71.2(b) and 94.2), per page	[...]

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 taken into account in accordance with Rule 4.12, [50%] 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 language:

English.



World Intellectual Property Organization

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DESIGNATED (OR ELECTED) OFFICES

EG Egypt

The **Egyptian Patent Office** has notified the International Bureau that, with effect since 1 February 2010, the time limit applicable for entry into the national phase under PCT Article 39(1)(a) may be extended up to 33 months from the priority date, provided that such extension will be deemed a late filing and involve the payment of a late filing fee, in **Egyptian pounds (EGP)**, as follows:

Between 30 and 31 months from the priority date: 1,500 EGP

Between 31 and 32 months from the priority date: 3,000 EGP

Between 32 and 33 months from the priority date: 4,500 EGP

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

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

IS Iceland

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 25 January 2010, the **Icelandic Patent Office**, 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 March 2010, 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, 3.5 inch diskette or DVD-R (see Annex F, section 5.2.1, Appendix III, section 2(e) and Appendix IV, sections 4.1, 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
- EPO online filing software

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

- facsimile and text string (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 of the electronic files received (see Section 704(a)(v)).

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 3:00 pm Monday to Friday excluding official holidays. The help desk may be contacted:

- by telephone at +354 580 9400
- by fax at +354 580 9401
- by e-mail at postur@els.is

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

- international applications

As to the filing of documents in pre-conversion format (Section 710(a)(iv)):

The Office will accept the filing of documents in any pre-conversion format together with the international application.

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.els.is).

As to the certification authorities that are 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)
- European Patent Office CA (www.epoline.org/portal/public)
- Icelandic CA (http://skilriki.is/media/skjol/Stefnumarkandi_krofur_1_0.pdf)

As to the 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.”

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

CN China

Pursuant to PCT Rule 13*bis*.7(b), the **State Intellectual Property Office of the People’s Republic of China** has notified the International Bureau of a change in the address of the China General Microbiological Culture Collection Center (CGMCC), an international depository 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:

China General Microbiological Culture Collection Center (CGMCC)
Institute of Microbiology, Chinese Academy of Sciences
No. 1, West Beichen Road
Chaoyang District
Beijing 100101
China

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

INFORMATION ON CONTRACTING STATES AND INTERGOVERNMENTAL ORGANIZATIONS

ME Montenegro

EP European Patent Organisation

Montenegro has concluded, on 13 February 2009, an agreement with the European Patent Organisation which provides for the extension of the effects of European patent applications and patents to Montenegro. The agreement enters into force on 1 March 2010. Under the agreement, it is possible to obtain patent protection in Montenegro by requesting the extension of a European patent to Montenegro. The extension procedure is also available, if the necessary requirements are met, via the PCT.

Montenegro (country code: ME) is not party to the European Patent Convention (EPC) and cannot be designated for a European patent (EP).

The extension of a European patent to Montenegro via the PCT is available in respect of international applications filed on or after 1 March 2010. A request for the extension of a European patent to Montenegro may be made if the designation of all PCT Contracting States under PCT Rule 4.9(a) in the international application is not withdrawn with respect to Montenegro under PCT Rule 90*bis*.2, and if the international filing fee is paid.

When, within 31 months (Chapter I or Chapter II of the PCT Regulations) from the priority date, the applicant enters the regional phase before the European Patent Office (EPO) and pays to the EPO the European extension fee for the extension of the European patent to Montenegro, a request for the extension of the European patent is deemed to have been made (no special indication concerning the extension should be made in the PCT request). If, however, the 31-month time limit has been missed, the extension fee may still be validly paid, with a surcharge of 50%, within a grace period of two months. The request for extension will be considered withdrawn if, upon entry into the regional phase before the EPO, the European extension fee is not paid within the applicable time limit.

The extension procedure is not available for international applications filed prior to 1 March 2010, or for any European patents resulting from such applications. For these older applications and patents, comparable effects may however be available under the cooperation and extension agreement between the former Federal Republic of Yugoslavia and the EPO which entered into force on 1 November 2004.

Further information about the extension of European patent applications and patents to Montenegro will be published in the EPO brochure “National law relating to the EPC” as soon as it is available.

[Updating of Annexes B1(ME), B2(EP) and C(EP), and of the National Chapter, Summary (EP), of the *PCT Applicant’s Guide*]



World Intellectual Property Organization

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INFORMATION ON CONTRACTING STATES

US United States of America

Because of weather conditions, the **United States Patent and Trademark Office (USPTO)** was not open to the public for the purposes of the transaction of official business from 8 to 11 February 2010, inclusive.

Consequently, pursuant to PCT Rule 80.5, if the expiration of any period during which any document or fee in connection with an international application was required to reach the Office fell on any of the aforementioned days, that period was extended so as to expire on 12 February 2010.

As regards other possible excuses of delay or loss in the mail, due to the above weather conditions, of documents or letters addressed to the Office, see PCT Rules 82.1 and 82.2.

FEES PAYABLE UNDER THE PCT

GB United Kingdom

The **United Kingdom Intellectual Property Office (an operating name of the Patent Office)** has notified a new amount of the transmittal fee (PCT Rule 14), as well as a fee for requesting restoration of the right of priority under PCT Rule 26*bis*.3(d), in **pounds sterling (GBP)**, payable to it as receiving Office. The amounts of these fees, applicable from 1 April 2010, are GBP 75 and GBP 150, respectively.

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

DESIGNATED (OR ELECTED) OFFICES

PT Portugal

The **National Institute of Industrial Property** has notified a change in one of the special requirements of the Office under PCT Rule 51*bis*. The appointment of an agent if the applicant is not resident in Portugal is no longer required if an e-mail address or facsimile number is furnished.

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



World Intellectual Property Organization

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The publication 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

IS Iceland

Following the notification by the **Icelandic Patent Office** that it is prepared to receive and process international applications in electronic form with effect from 1 March 2010 (see Official Notices (PCT Gazette) of 11 February 2010, pages 46 *et seq.*), equivalent amounts in **Icelandic kronur (ISK)** have been established for two of the reductions under item 4 of the PCT Schedule of Fees, with effect from the same date, as follows:

Reductions (under PCT Schedule of Fees, item 4):

Electronic filing (the request in character coded format):	ISK 24,000
Electronic filing (the request, description, claims and abstract in character coded format):	ISK 36,100

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

DESIGNATED (OR ELECTED) OFFICES

EG Egypt

The **Egyptian Patent Office** has notified the International Bureau, in addition to the extension of the time limit applicable for entry into the national phase under PCT Article 39(1)(a) (see Official Notices (PCT Gazette) of 11 February 2010, page 46), and with effect since 1 February 2010, an extension of the time limit applicable for entry into the national phase under PCT Article 22(1) of up to 33 months from the priority date, provided that such extension will be deemed a late filing and involve the payment of a late filing fee, in **Egyptian pounds (EGP)**, as follows:

Between 30 and 31 months from the priority date:	1,500 EGP
Between 31 and 32 months from the priority date:	3,000 EGP
Between 32 and 33 months from the priority date:	4,500 EGP

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



World Intellectual Property Organization

**OFFICIAL NOTICES
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The publication 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

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)** has been established for the search fee (PCT Rule 16) for an international search carried out by the **Australian Patent Office**. This amount, applicable from 1 May 2010, is EUR 1,024.

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



World Intellectual Property Organization

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**INTERNATIONAL SEARCHING AUTHORITIES
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES**

EP European Patent Organisation (EPO)

Agreement between the European Patent Organisation and the International Bureau of the World Intellectual Property Organization¹ – Amendment to Annex C

The **European Patent Organisation (EPO)** 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 April 2010. 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))	1,785 ²
Additional fee (Rule 40.2(a))	1,785 ²
Preliminary examination fee (Rule 58.1(b))	1,760 ²
Additional fee (Rule 68.3(a))	1,760 ²
Protest fee (Rules 40.2(e) and 68.3(e)):	
– for international applications still pending on 13 December 2007	1,180
– for international applications filed on or after 13 December 2007	790
Late furnishing fee (Rules 13 ^{ter} .1(c) and 13 ^{ter} .2)	210
Cost of copies (Rules 44.3(b), 71.2(b) and 94.2), per page	0.75

Part II. [No change]”

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

² This fee is reduced by 75% under certain conditions (see decision of the EPO’s Administrative Council of October 21, 2008 (OJ EPO 11/08, 521)).

ES Spain

Agreement between the Spanish Patent and Trademark Office and the International Bureau of the World Intellectual Property Organization³ – 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 April 2010. 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))	1,785 ⁴
Additional fee (Rule 40.2(a))	1,785 ⁴
Preliminary examination fee (Rule 58.1(b))	[No change]
Additional fee (Rule 68.3(a))	[No change]
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]”

³ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_es.pdf.

⁴ 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 and which is classified by the World Bank in the group of countries of “low income”, “lower middle income” or “upper middle income”.

FI Finland

Agreement between the National Board of Patents and Registration of Finland and the International Bureau of the World Intellectual Property Organization⁵ – Amendment to Annex C

The **National Board of Patents and Registration of Finland** 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 April 2010. 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))	1,785
Additional fee (Rule 40.2(a))	1,785
Supplementary search fee (Rule 45bis.3(a))	1,785
Preliminary examination fee (Rule 58.1(b))	600
Additional fee (Rule 68.3(a))	600
Late furnishing fee (Rules 13ter.1(c) and 13ter.2)	[No change]
Cost of copies (Rules 44.3(b), 45bis.7(c) and 71.2(b))	[No change]
Cost of copies (Rule 94.2), per page	[No change]

Part II. [No change]”

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 15 May 2010, is EUR 1,119.

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

⁵ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_fi.pdf.

EP European Patent Organisation (EPO)

The **European Patent Office (EPO)** has notified new amounts of fees in **euro (EUR)**, payable to it as International Searching Authority. These amounts, applicable from 1 April 2010, are as follows:

Search fee (PCT Rule 16.1(a)):	EUR 1,785
Additional search fee (PCT Rule 40.2(a)):	EUR 1,785
Fee for copies of documents cited in the international search report (PCT Rule 44.3(b)):	For applicants: [No change] For designated Offices: EUR 0.75 per page
Protest fee (PCT Rule 40.2(e)):	
– for international applications still pending on 13 December 2007:	EUR 1,180
– for international applications filed on or after 13 December 2007:	EUR 790
Late furnishing fee (PCT Rule 13 ^{ter} .1(c)):	EUR 210

Pursuant to PCT Rule 16.1(b), new equivalent amounts of the search fee have been established in **Swiss francs (CHF)**, **Danish kroner (DKK)**, **pounds sterling (GBP)**, **Icelandic kronur (ISK)**, **Japanese yen (JPY)**, **Malawian kwacha (MWK)**, **Norwegian kroner (NOK)**, **New Zealand dollars (NZD)**, **Swedish kronor (SEK)**, **Singapore dollars (SGD)**, **US dollars (USD)** and **South African rand (ZAR)**. These amounts, applicable from 1 April 2010, are as follows:

CHF	2,628
DKK	13,290
GBP	1,557
ISK	317,000
JPY	225,200
MWK	359,000
NOK	14,590
NZD	3,506
SEK	18,060
SGD	3,510
USD	2,485
ZAR	18,620

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

Furthermore, the Office has notified new amounts of fees in **euro (EUR)**, payable to it as International Preliminary Examining Authority. These amounts, applicable from 1 April 2010, are as follows:

Preliminary examination fee (PCT Rule 58.1(b)):	EUR 1,760
Additional preliminary examination fee (PCT Rule 68.3(a)):	EUR 1,760

Fee for copies of documents cited in the international preliminary examination report (PCT Rule 71.2(b)):	For applicants: [No change] For elected Offices: EUR 0.75 per page
Fee for copies of documents contained in the file of the international application (PCT Rule 94.2):	Per A4 page or smaller (delivery charge should be added if the copies are to be sent by airmail): EUR 0.75 per page
Protest fee (PCT Rule 68.3(e)):	
– for international applications still pending on 13 December 2007:	EUR 1,180
– for international applications filed on or after 13 December 2007:	EUR 790
Late furnishing fee (PCT Rule 13 ^{ter} .2):	EUR 210

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

ES Spain

The **Spanish Patent and Trademark Office** has notified new amounts of the search fee (PCT Rule 16.1(a)) and of the additional search fee (PCT Rule 40.2(a)), in **euro (EUR)**, payable to it as International Searching Authority. These amounts, applicable from 1 April 2010, are EUR 1,785 for each of the fees.

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

FI Finland

The **National Board of Patents and Registration of Finland** has notified new amounts of fees in **euro (EUR)**, payable to it as receiving Office, International Searching Authority, International Preliminary Examining Authority and designated (or elected) Office. These amounts, applicable from 1 April 2010, are as follows:

Fee for priority document (PCT Rule 17.1(b)):	[No change] plus EUR 70 per document for a patent or EUR 50 per document for a utility model
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[Updating of Annex C(FI) of the *PCT Applicant's Guide*]

Search fee (PCT Rule 16.1(a)):	EUR 1,785
Additional search fee (PCT Rule 40.2(a)):	EUR 1,785

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

Preliminary examination fee (PCT Rule 58.1(b)):	EUR 600
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Additional preliminary examination fee
(PCT Rule 68.3(a)): EUR 600

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

National fee:

Basic fee: EUR 450

Basic fee for an electronically filed
application: EUR 350

Claim fee for each claim in excess of 10: EUR 40

Additional fee for late furnishing
of translation or copy: EUR 125

Annual fees for the first three years: EUR 200

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

In addition, the Office has notified a new amount of the supplementary search fee (PCT Rule 45*bis*.3(a)), in **Swiss francs (CHF)**, payable for an supplementary international search carried out by the Office. This amount, applicable from 1 April 2010, is CHF 2,628.

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

GB United Kingdom – Corrigendum

The **United Kingdom Intellectual Property Office (an operating name of the Patent Office)** has notified an inaccuracy relating to the date of entry into force of the new amount of the transmittal fee and of the fee for requesting restoration of the right of priority, payable to it as receiving Office, published in Official Notices (PCT Gazette) of 18 February 2010, page 52. These fees are applicable from 6 April 2010.

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

SE Sweden

The **Swedish Patent and Registration Office** has notified the International Bureau of new amounts of the search fee (PCT Rule 16.1(a)) and of the additional search fee (PCT Rule 40.2(a)) in **Swedish kronor (SEK)**, and of new equivalent amounts of the search fee in **Swiss francs (CHF)**, **Danish kroner (DKK)**, **euro (EUR)**, **Icelandic kronur (ISK)**, **Norwegian kroner (NOK)** and **US dollars (USD)**, applicable from 1 April 2010 and payable for an international search carried out by the Office, as follows:

Search fee:	SEK	18,060
	CHF	2,628
	DKK	13,290
	EUR	1,785
	ISK	317,000
	NOK	14,590
	USD	2,485

Additional search fee: SEK 18,060

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

In addition, the Office has notified the International Bureau of a new amount of the supplementary search fee (PCT Rule 45*bis*.3(a)), in **Swiss francs (CHF)**, payable for an supplementary international search carried out by the Office. This amount, applicable from 1 April 2010, is CHF 2,628.

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



World Intellectual Property Organization

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The publication 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

LR Liberia

AP African Regional Intellectual Property Organization (ARIPO)

Liberia deposited, on 24 December 2009, its instrument of accession to the **Protocol on Patents and Industrial Designs within the Framework of the African Regional Intellectual Property Organization (ARIPO) (Harare Protocol)** and will become bound by that Protocol on 24 March 2010. Thus, from 24 March 2010, it will be possible for applicants to designate Liberia in their international applications also for the purposes of obtaining an ARIPO patent, and not only for the purposes of obtaining a national patent, as at present.

Moreover, from 24 March 2010, nationals and residents of Liberia will be able to file international applications with ARIPO as receiving Office, in addition to the Ministry of Foreign Affairs, Bureau of Archives, Patents, Trade Marks and Copyright (Liberia) or the International Bureau of WIPO.

[Updating of Annexes B1(LR), B2(AP) and C(AP) of the *PCT Applicant's Guide*]

FEES PAYABLE UNDER THE PCT

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)** has been established for the search fee (PCT Rule 16) for an international search carried out by the **Japan Patent Office**. This amount, applicable from 1 May 2010, is EUR 782.

[Updating of Annex D(JP) 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 in **euro (EUR)** has been established for the search fee (PCT Rule 16) for an international search carried out by the **United States Patent and Trademark Office (USPTO)**. This amount, applicable from 1 May 2010, is EUR 1,534.

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

XN Nordic Patent Institute

New amounts in **Danish kroner (DKK)** have been established for the search fee (PCT Rule 16.1(a)) and the additional search fee (PCT Rule 40.2(a)) payable to the **Nordic Patent Institute** as International Searching Authority. These amounts, applicable from 1 April 2010, are DKK 13,290 for each of the fees.

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

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

JP Japan

Under PCT Rule 89*bis*.1(d) and Section 710(b) of the Administrative Instructions under the PCT, the **Japan Patent Office**, in its capacity as receiving Office, notified the International Bureau, (i) on 22 December 2009, of the introduction of an Internet version of its electronic filing software JPO PAS, in addition to the ISDN version, with effect from 1 January 2010, and (ii) on 18 January 2010, of the withdrawal of the ISDN version with effect from 1 April 2010. Consequently, the following notification will replace the previous notifications published in PCT Gazette No. 50/2006, pages 19184 *et seq.*, and in Official Notices (PCT Gazette) of 26 June 2008, page 92, with effect from 1 April 2010.

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

- XML (in general; see Annex F, section 3.1.1.1)
 - (a) JISX 0208
 - (b) Shift-JIS
 - (c) IBM943-Unicode3.0/UTF-8 table in IBM AIX
- WIPO Standard ST.25 (for sequence listings; see Annex F, section 3.1.1.2 and Annex C)
- TIFF (for files that are referenced by XML files within the international application; see Annex F, section 3.1.3.1)
- JFIF (for files that are referenced by XML files within the international application; see Annex F, section 3.1.3.2)

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

For PCT-SAFE software:

- online filing (see Annex F, section 5)

For JPO PAS (Internet version):

- online filing (see Annex F, section 5)

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

For PCT-SAFE software:

- WASP (Wrapped and Signed Package; see Annex F, section 4.2.1)

For JPO PAS (Internet version):

- WASP (Wrapped and Signed Package; see Annex F, section 4.2.1)

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

- PCT-SAFE software
- JPO PAS (Internet version)

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

For PCT-SAFE software:

- text string signature (see Annex F, section 3.3.2)
- enhanced electronic signature (see Annex F, section 3.3.4)

For JPO PAS (Internet version):

- text string signature (see Annex F, section 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)):

For PCT-SAFE software:

The acknowledgement of receipt of any purported international application filed in electronic form with the Office will contain the information required under Section 704(a)(i) to (iv).

It is only if the application is not sent in accordance with the above-mentioned means of transmittal or document packaging that no acknowledgement of receipt will be generated. Other errors, such as the use of outdated certificates, applications infected by viruses or other forms of malicious logic or certain missing files are notified to the applicant by issuing an error message.

The Office will make every effort to accept an international application in electronic form. 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)).

For JPO PAS (Internet version):

The acknowledgement of receipt of any purported international application filed in electronic form with the Office will contain the information required under Section 704(a)(i) to (iv).

It is only if the application is not sent in accordance with the above-mentioned means of transmittal or document packaging that no acknowledgement of receipt will be generated. Other errors, such as the use of outdated certificates, applications infected by viruses or other forms of malicious logic or certain missing files are notified to the applicant by issuing an error message.

The Office will make every effort to accept an international application in electronic form. 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)):

The following means of payment are accepted, provided that the acceptable means depend on the kind of fees: (i) payment by JPO's deposit account, (ii) payment by patent revenue stamps, (iii) payment to the Japan's national treasury with the evidence to certify the payment, or (iv) payment by bank transfers.

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

The Office has put in place a support center for online filing.

The task of this support center is to answer questions from users of the service for the online filing of patents, and to serve as a technical hotline in order to help applicants whenever bugs and other technical problems relating to the software and/or server are encountered.

For PCT-SAFE software:

This support center is open from Monday to Friday, excluding official holidays, from 9 am until 8 pm, and it may be contacted:

- by phone, at +81 (0)3 5575 5004

For JPO PAS (Internet version):

This support center is open from Monday to Friday, excluding official holidays, from 9 am until 8 pm, and it may be contacted:

- by phone, at +81 (0)3 5744 8534
- by fax, at +81 (0)3 3582 0510

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

- international applications

As to the filing of documents in pre-conversion format (Section 710(a)(iv)):

The Office will accept no filing of documents in pre-conversion format together with the international application.

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 electronic systems when an international application is filed with it, the Office will use all means available to inform the applicant about procedures to follow as alternatives.

The Office will provide information on its website (www.jpo.go.jp) concerning the availability of online filing systems.

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

For PCT-SAFE software:

- WIPO customer CA (www.wipo.int/pct-safe/en/certificates.htm)
- Registrar of Legal Affairs Bureau
(www.moj.go.jp/ONLINE/CERTIFICATION/index.html)
- The Japan Chamber of Commerce & Industry (ca.jcci.or.jp/index.html)
- Japan Certification Services, Inc. (www.jcsinc.co.jp)
- Secom Trust Systems Co., Ltd. (www.secomtrust.net/service/ninsyo/forgid.html)
- ChudenCTI Co., Ltd. (repository.cti.co.jp)

For JPO PAS (Internet version):

- Registrar of Legal Affairs Bureau
(www.moj.go.jp/ONLINE/CERTIFICATION/index.html)
- The Japan Chamber of Commerce & Industry (ca.jcci.or.jp/index.html)
- Japan Certification Services, Inc. (www.jcsinc.co.jp)
- Secom Trust Systems Co., Ltd. (www.secomtrust.net/service/ninsyo/forgid.html)
- ChudenCTI Co., Ltd. (repository.cti.co.jp)
- Shikoku Electric Power Co., Inc. (www.yonden.co.jp/business/ninsho/index.html)
- Nippon Denshi Ninsho Co., Ltd. (www.ninsho.co.jp/aosign/index.html)
- Miroku Jyoho Service Co., Ltd. (ca.mjs.co.jp)
- Teikoku Databank, Ltd. (www.tdb.co.jp/typeA/index.html)
- e-Probatio CA (www.e-probatio.com)
- Japannet Corporation (www.japannet.jp/ca/index.html)
- Tohoku Information Systems Co., Inc. (<https://www.toinx.net/ebs/info.html>)
- JPKE (www.jpki.go.jp)
- GPKE (www.gpki.go.jp)
- LGPKE (www.lgpki.jp)

As to the 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.”

WITHDRAWAL OF NOTIFICATIONS BY DESIGNATED OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 49.6(f)

GB United Kingdom

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 United Kingdom Intellectual Property Office (an operating name of the Patent Office), in its capacity as designated Office, has notified the International Bureau that it has withdrawn the said notification with effect from 1 January 2005. PCT Rule 49.6(a) to (e) therefore applies with effect from that date.



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INFORMATION ON CONTRACTING STATES

ST Sao Tome and Principe

The **Industrial Property National Service (SENAPI)** has notified changes in its telephone and facsimile numbers, which now read as follows:

Telephone:	(239) 222 28 03, 222 68 10
Facsimile machine:	(239) 222 18 43, 222 24 27, 222 41 79

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

FEES PAYABLE UNDER THE PCT

EP European Patent Organisation

The **European Patent Office (EPO)** has notified new amounts of fees in **euro (EUR)**, payable to it as receiving Office. These amounts, applicable from 1 April 2010, are as follows:

Transmittal fee:	EUR	115
Fee for priority document (PCT Rule 17.1(b)):	EUR	45
Fee for requesting restoration of the right of priority (PCT Rule 26bis.3(d)):	EUR	580

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

Furthermore, the Office has notified changes to the components of the national fee, in **euro (EUR)**, payable to it as designated (or elected) Office, applicable from 1 April 2010. The consolidated list of the said components should read as follows:

National fee:

Filing fee:

- where the form for entry into the European phase (EPO Form 1200) is filed online: EUR 105
- where the form for entry into the European phase (EPO Form 1200) is not filed online: EUR 190

Additional fee for pages in excess of 35:
for the 36th and each subsequent page: EUR 13

Designation fee for one or more EPO Contracting States designated: EUR 525

Extension fee for each extension State (extension of the European patent to Albania, Bosnia and Herzegovina, Montenegro or Serbia):	EUR	102
Claims fee:		
– for the 16 th and each subsequent claim up to the limit of 50:	EUR	210
– for the 51 st and each subsequent claim:	EUR	525
Search fee:		
– for (international) applications filed before 1 July 2005:	EUR	800
– for (international) applications filed on or after 1 July 2005:	EUR	1,105
Fee for further processing:		
– in the event of late payment of a fee:		50% of the relevant fee
– other cases:	EUR	225
Fee for late furnishing of a sequence listing:	EUR	210
Examination fee:		
– for (international) applications filed before 1 July 2005:	EUR	1,645
– for (international) applications filed on or after 1 July 2005 for which no supplementary European search report is drawn up:	EUR	1,645
– for all other (international) applications filed on or after 1 July 2005:	EUR	1,480
Renewal fee for the third year:	EUR	420

The Office has also notified a new amount of the reduction of the search fee component of the national fee, in **euro (EUR)**, for international applications filed on or after 1 July 2005 for which the international search report has been established by the Austrian Patent Office, or in accordance with the Protocol on centralization by the National Board of Patents and Registration of Finland, the Nordic Patent Institute, the Spanish Patent and Trademark Office or the Swedish Patent and Registration Office. This amount, applicable from 1 April 2010, is EUR 940, and applies to international applications filed up to and including 30 June 2013, where the fee for the supplementary European search is paid on or after 1 April 2010.

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

KR Republic of Korea

New equivalent amounts in **Korean won (KRW)** 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 4 of the PCT Schedule of Fees. These amounts, applicable from 1 June 2010, are as follows:

International filing fee:	KRW 1,453,000
Fee per sheet in excess of 30:	KRW 16,000
Reductions (under PCT Schedule of Fees, item 4):	
PCT-EASY:	KRW 109,000
Electronic filing (the request, description, claims and abstract in character coded format):	KRW 328,000

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

DEPOSITS OF MICROORGANISMS AND OTHER BIOLOGICAL MATERIAL: REQUIREMENTS OF DESIGNATED AND ELECTED OFFICES

EP European Patent Organisation

The **European Patent Office (EPO)** has notified changes in its requirements concerning the deposit of microorganisms and other biological material. The consolidated table of requirements reads as follows:

<p>Time (if any) earlier than 16 months from priority date by which applicant must furnish:</p> <p>the indications prescribed in Rule 13bis.3(a)(i) to (iii)</p>	<p>any additional matter specified in the adjacent right-hand column</p>	<p>Additional indications (if any) which must be given besides those prescribed in Rule 13bis.3(a)(i) to (iii) pursuant to notifications from the Offices concerned</p>
<p>None</p>	<p>At the time of filing</p>	<p>To the extent available to the applicant, relevant information on the characteristics of the biological material</p>

Deposits with CNCM can be made under the Budapest Treaty or, as far as the deposits of cell cultures, mycoplasma and rickettsiae are concerned, under a bilateral agreement with the EPO.

If the applicant wishes that, until the publication of the mention of the grant of a European patent or for 20 years from the date of filing if the application is refused or withdrawn or deemed to be withdrawn, the biological material shall be made available as provided in Rule 33(1) of the European Patent Convention (EPC) only by the issue of a sample to an expert nominated by the requester (EPC Rule 32(1)), the applicant must, by a written statement, inform the International Bureau accordingly before completion of technical preparations for publication of the international application. Such a statement must be separate from the description and the claims of the international application and must preferably be made on Form PCT/RO/134, referred to in Section 209 of the Administrative Instructions under the PCT and available on the WIPO website at: www.wipo.int/pct/en/forms/ro/editable/ed_ro134.pdf.

WARNING: Where the invention involves the use of or concerns biological material which is not available to the public at the date of filing the application and which has been deposited by a person other than the applicant, the reference to such a deposit must include the name and address of the depositor and a statement that the latter has authorized the applicant to refer to the deposited biological material in the application and has given his unreserved and irrevocable consent to the deposited material being made available to the public in accordance with EPC Rule 31(1)(d). Applicants are reminded that these indications (the name and address of the depositor, and the statement) must be furnished to the International Bureau within the applicable time limit under PCT Rule 13bis.4, that is, within 16 months from the priority date of the international application (this period is deemed to have been met if these indications are furnished before the technical preparations for international publication have been completed) or, if the applicant makes a request for early publication under PCT Article 21(2)(b), up to the date on which such a request is made. The failure to meet this time limit cannot be remedied upon entry into the European phase neither by re-establishment of rights nor by further processing. As a result, the application may have to be refused under EPC Article 97(2) in the course of examination proceedings for insufficient disclosure (EPC Article 83).

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

AU Australia

Pursuant to PCT Rule 13bis.7(b), the **Australian Patent Office** has notified the International Bureau of a depositary institution having acquired the status of 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:

Lady Mary Fairfax CellBank Australia (CBA)
214 Hawkesbury Rd
Westmead, NSW 2145
Australia

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



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INFORMATION ON CONTRACTING STATES AND INTERGOVERNMENTAL ORGANIZATIONS

AL Albania

EP European Patent Organisation

Albania deposited, on 11 February 2010, its instrument of accession to the **European Patent Convention (EPC)** and will become bound by that Convention on 1 May 2010. Thus, from 1 May 2010, it will be possible for applicants to designate Albania 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, from 1 May 2010, nationals and residents of Albania will be able to file international applications with the European Patent Office (EPO) as receiving Office, in addition to the Albanian Patent Office or the International Bureau of WIPO.

[Updating of Annexes B1(AL), B2(EP) and C(EP), and of the National Chapter, Summary (EP), of the *PCT Applicant's Guide*]

CO Colombia

Due to the automation of its documents system, the **Superintendence of Industry and Commerce** was not open to the public for the purposes of the transaction of official business from 29 to 31 March 2010, inclusive.

Consequently, pursuant to PCT Rule 80.5, if the expiration of any period during which any document or fee in connection with an international application was required to reach the Office fell on any of the aforementioned days, that period was extended so as to expire on the next working day, that is, on 5 April 2010.

As regards other possible excuses of delay or loss in the mail, due to the above reason, of documents or letters addressed to the Office, see PCT Rules 82.1 and 82.2.



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RECEIVING OFFICES

TH Thailand

The **Department of Intellectual Property (DPI)** has specified the Japan Patent Office, in addition to the European Patent Office (EPO), the Korean Intellectual Property Office, the State Intellectual Property Office of the People’s Republic of China and the United States Patent and Trademark Office (USPTO), as competent International Searching and International Preliminary Examining Authority for international applications filed by nationals and residents of Thailand with the Department of Intellectual Property (DPI) as receiving Office, with effect from 15 April 2010.

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

INTERNATIONAL SEARCHING AUTHORITIES

INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES

JP Japan

Agreement between the Japan Patent Office and the International Bureau of the World Intellectual Property Organization¹ – Amendment to Annex A

The **Japan Patent Office** 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 enter into force on 15 April 2010. 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 for which it will act, so far as Article 3(1) is concerned:
Japan, Philippines, Republic of Korea and Thailand;
- (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 and Thailand;
- (iii) the following languages which it will accept:
 - (a) [no change]
 - (b) for international applications filed with the receiving Office of, or acting for, Philippines or Thailand:
English;
 - (c) [no change]”

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



World Intellectual Property Organization

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The publication 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 Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee (PCT Rule 16) in **Swiss francs (CHF)**, 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) as a currency of payment but in respect of which the Swiss franc (CHF) is not the official currency. This amount, applicable from 1 June 2010, is CHF 1,553.

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

BR Brazil

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)** has been established for the search fee (PCT Rule 16) for an international search carried out by the **National Institute of Industrial Property**. This amount, applicable from 1 June 2010, is EUR 788.

[Updating of Annex D(BR) 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 in **Swiss francs (CHF)** has been established for the search fee (PCT Rule 16) for an international search carried out by the **Canadian Intellectual Property Office**. This amount, applicable from 1 June 2010, is CHF 1,666.

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

KR Republic of Korea

IB International Bureau

For the purposes of the payment of fees to the **International Bureau** as receiving Office, new equivalent amounts in **euro (EUR)** have been established for the search fee (PCT Rule 16) for an international search carried out by the **Korean Intellectual Property Office**. These amounts, applicable from 1 June 2010, are as follows:

For international applications filed in English: EUR 834

For international applications filed in Korean: EUR 290

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



World Intellectual Property Organization

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The publication 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 4 of the PCT Schedule of Fees. These amounts, applicable from 1 July 2010, are as follows:

International filing fee:	AUD 1,370
Fee per sheet in excess of 30:	AUD 15
Reductions (under PCT Schedule of Fees, item 4):	
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 309

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

CA Canada

New equivalent amounts in **Canadian dollars (CAD)** 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 4 of the PCT Schedule of Fees. These amounts, applicable from 1 July 2010, are as follows:

International filing fee:	CAD 1,278
Fee per sheet in excess of 30:	CAD 14
Reductions (under PCT Schedule of Fees, item 4):	
PCT-EASY:	CAD 96
Electronic filing (the request in character coded format):	CAD 192
Electronic filing (the request, description, claims and abstract in character coded format):	CAD 288

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

RECEIVING OFFICES

AG Antigua and Barbuda

The **Intellectual Property and Commerce Office** has specified the Canadian Intellectual Property Office as competent International Searching and International Preliminary Examining Authority for international applications filed by nationals and residents of Antigua and Barbuda with the Intellectual Property and Commerce Office as receiving Office, with effect since 14 April 2010.

DESIGNATED (OR ELECTED) OFFICES

EP European Patent Organisation

The **European Patent Office (EPO)** has notified a change in one of the special requirements of the Office under PCT Rule 51*bis*. The Office may require the address, nationality and residence of the applicant if they have not been furnished in the “Request” part of the international application.

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

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

IS Iceland

The **Icelandic Patent Office** as receiving Office has notified that it accepts, for any international application filed with a PCT-EASY request under Section 102*bis*(a) of the Administrative Instructions under the PCT, the following PCT-EASY physical media: 3.5 inch diskette, CD-R, CD-ROM, DVD or DVD-R.

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

RESTORATION OF RIGHT OF PRIORITY UNDER PCT RULE 26*bis*.3

IS Iceland

Under PCT Rule 26*bis*.3(i), the **Icelandic Patent Office**, in its capacity as receiving 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 a fee for requesting restoration of the right of priority under PCT Rule 26*bis*.3(d), in **Icelandic kronur (ISK)**, payable to it as receiving Office. The amount of this fee is ISK 20,000.

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

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6 May 2010

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FEES PAYABLE UNDER THE PCT

AT Austria

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 **Austrian Patent Office**. This amount, applicable from 1 July 2010, is KRW 2,601,000.

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

AU Australia

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 **Australian Patent Office**. This amount, applicable from 1 July 2010, is NZD 2,062.

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

INTERNATIONAL SEARCHING AUTHORITIES INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES

EP European Patent Organisation

Agreement between the European Patent Organisation and the International Bureau of the World Intellectual Property Organization¹ – Amendment

The **European Patent Office (EPO)** has stated its preparedness to carry out supplementary international searches. The amended Agreement between the European Patent Organisation and the International Bureau of WIPO containing provisions concerning supplementary international search (see Articles 3(4) and 11(3)(iv), Annex C, Parts I and II, and Annex E thereof), as well as amendments to Article 11(2) and (4) notified in accordance with Article 11(1) thereof, will enter into force on 1 July 2010 and is set out on pages 89 to 97.

WAIVERS UNDER PCT RULES 90.4(D) AND 90.5(C)

EP European Patent Organisation

Following the statement by the **European Patent Office (EPO)** of its preparedness to carry out supplementary international searches (see above), and under PCT Rules 90.4(d) and 90.5(c), the Office has informed the International Bureau that, in its capacity as Authority competent to carry out supplementary international searches, it waives the requirements under PCT Rules 90.4(b) and 90.5(a)(ii) to submit either a separate power of attorney or a copy of a general power of attorney, with effect from 1 July 2010.

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

The Office, acting in its capacities as receiving Office, International Searching Authority, Authority competent to carry out supplementary international searches and International Preliminary Examining Authority, has also indicated particular instances in which a separate power of attorney or a copy of a general power of attorney is required, applicable from 1 July 2010, as follows:

- if a procedural act is performed by a purported agent who is not the agent of record, unless the purported agent belongs to the same office as the agent of record, or if both the purported agent and the agent of record are employees of the applicant or, if there is more than one applicant, of the common representative;
- if there is doubt as to whether the agent or common representative is entitled to act.

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

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).

(4) The Authority shall conduct supplementary international searches in accordance with Rule 45*bis*, covering at least the documentation referred to in Annex E to this Agreement, subject to any limitations and conditions set out in that Annex.

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; and, notwithstanding paragraph (4), 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;
- (iv) amend the indications and information concerning supplementary international searches contained in Annex E to this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any change in the currency or amount of fees or charges contained in Annex C, for any addition of new fees or charges, and for any change in the conditions for and the extent of refunds or reductions of fees contained in Annex C, that date is at least two months 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.

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:
 - (a) as an International Searching Authority and an International Preliminary Examining Authority, international applications filed by a national or 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 the field of business methods, as defined by the following International Patent Classification units:
 - G06Q:
Data processing systems or methods, specially adapted for administrative, commercial, financial, managerial, supervisory or forecasting purposes; Systems or methods specially adapted for administrative, commercial, financial, managerial, supervisory or forecasting purposes, not otherwise provided for
 - G06Q 10/00:
Administration, e.g. office automation or reservations; Management, e.g. resource or project management
 - G06Q 30/00:
Commerce, e.g. marketing, shopping, billing, auctions or e-commerce
 - G06Q 40/00:
Finance, e.g. banking, investment or tax processing; Insurance, e.g. risk analysis or pensions
 - G06Q 50/00:
Systems or methods specially adapted for a specific business sector, e.g. health care, utilities, tourism or legal services
 - G06Q 90/00:
Systems or methods specially adapted for administrative, commercial, financial, managerial, supervisory or forecasting purposes, not involving significant data processing
 - G06Q 99/00:
Subject matter not provided for in other groups of this subclass
 - (b) 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.

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))	1,785 ¹
Additional fee (Rule 40.2(a))	1,785 ¹
Supplementary search fee (Rule 45 <i>bis</i> .3(a))	1,785
Preliminary examination fee (Rule 58.1(b))	1,760 ¹
Additional fee (Rule 68.3(a))	1,760 ¹
Protest fee (Rules 40.2(e) and 68.3(e)):	
– for international applications still pending on December 13, 2007	1,180
– for international applications filed on or after December 13, 2007	790
Review fee (Rule 45 <i>bis</i> .6(c))	790
Late furnishing fee (Rule 13 <i>ter</i> .1(c))	210

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.

¹ This fee is reduced by 75% under certain conditions (see decision of the EPO's Administrative Council of October 21, 2008 (OJ EPO 11/08, 521)).

(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.²

(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.

(7) The Authority shall refund the supplementary search fee if, before it has started the supplementary international search in accordance with Rule 45*bis*.5(a), the supplementary search request is considered not to have been submitted under Rule 45*bis*.5(g).

(8) The Authority shall refund the supplementary search fee if, after receipt of the documents specified in Rule 45*bis*.4(e)(i) to (iv), but before it has started the supplementary international search in accordance with Rule 45*bis*.5(a), it is notified of the withdrawal of the international application or the supplementary search request.

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.

Annex E Supplementary International Search: Documentation Covered; Limitations and Conditions

(1) The Authority will accept requests for supplementary international search based on international applications filed in, or translations furnished into, English, French or German.

(2) The supplementary international search shall cover the documents held in the search collection of the Authority, including, but not limited to, the PCT minimum documentation under Rule 34.

² *Editor's Note:* See *Official Notices (PCT Gazette)* of March 26, 2009, page 62.

(3) The Authority will not act for the kinds of application mentioned in Annex A, item (ii)(a) to this Agreement.

(4) Where applicable, the Authority shall start the supplementary international search in accordance with Rule 45*bis*.5(a) only if a copy of a sequence listing in electronic form complying with the standard provided for in the Administrative Instructions is furnished under Rule 45*bis*.1(c)(ii) and thereafter transmitted to it under Rule 45*bis*.4(e)(iii).

(5) The Authority will conduct a maximum of 700 supplementary international searches per year.

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FEES PAYABLE UNDER THE PCT

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 (Rospatent)** for the purposes of certain receiving Offices which have specified the euro (EUR) as a currency of payment but in respect of which the euro (EUR) is not the official currency. This amount, applicable from 1 July 2010, is EUR 344.

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

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

IS Iceland

Under PCT Rule 49ter.2(g), the **Icelandic Patent Office**, in its capacity 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 a fee for requesting restoration of the right of priority under PCT Rule 49ter.2(d), in **Icelandic kronur (ISK)**, payable to it as designated (or elected) Office. The amount of this fee is ISK 20,000.

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

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FEES PAYABLE UNDER THE PCT

AT Austria

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 **Austrian Patent Office**. This amount, applicable from 1 August 2010, is SGD 3,160.

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

AU Australia

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)** has been established for the search fee (PCT Rule 16) for an international search carried out by the **Australian Patent Office**. This amount, applicable from 1 August 2010, is EUR 1,123.

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

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FEES PAYABLE UNDER THE PCT

BR Brazil

IB International Bureau

For the purposes of the payment of fees to the **International Bureau** as receiving Office, a new equivalent amount in **Swiss francs (CHF)** has been established for the search fee (PCT Rule 16) for an international search carried out by the **National Institute of Industrial Property**. This amount, applicable from 1 August 2010, is CHF 1,192.

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

KR Republic of Korea

The Director General of the **World Intellectual Property Organization** has established new equivalent amounts of the search fee (PCT Rule 16) for international applications filed in English and in Korean, in **Swiss francs (CHF)**, payable for an international search carried out by the **Korean Intellectual Property Office** for the purposes of certain receiving Offices which have specified the Swiss franc (CHF) as a currency of payment but in respect of which the Swiss franc (CHF) is not the official currency. These amounts, applicable from 1 August 2010, are as follows:

Search fee (PCT Rule 16.1(a)) (for international applications filed in English):	CHF 1,262
Search fee (PCT Rule 16.1(a)) (for international applications filed in Korean):	CHF 437

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

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FEES PAYABLE UNDER THE PCT

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 15 August 2010, is KRW 1,151,000.

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

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FEES PAYABLE UNDER THE PCT

AT Austria

IB International Bureau

For the purposes of the payment of fees to the **International Bureau** as receiving Office, a new equivalent amount in **Swiss francs (CHF)** has been established for the search fee (PCT Rule 16) for an international search carried out by the **Austrian Patent Office**. This amount, applicable from 15 August 2010, is CHF 2,381.

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

KR Republic of Korea

A new equivalent amount in **Korean won (KRW)** has been established for the handling fee, pursuant to PCT Rule 57.2(e). This amount, applicable from August 15, 2010, is KRW 206,000.

[Updating of Annex E(KR) of the *PCT Applicant's Guide*]

RECEIVING OFFICES

OM Oman

IB International Bureau

The **International Bureau** acting for the **Intellectual Property Department, Ministry of Commerce and Industry**, has specified the United States Patent and Trademark Office (USPTO), in addition to the Austrian Patent Office and the European Patent Office (EPO), as competent International Searching and International Preliminary Examining Authority for international applications filed by nationals and residents of Oman with the International Bureau as receiving Office, with effect from 17 June 2010.

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

INTERNATIONAL SEARCHING AUTHORITIES INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES

US United States of America

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

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

Agreement, of amendments to Annex A thereof. These amendments enter into force on 17 June 2010. 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 for which it will act, so far as Article 3(1) is concerned:

United States of America, Bahrain, Barbados, Brazil, Chile, Dominican Republic, Egypt, Guatemala, India, Israel, Mexico, New Zealand, Oman, Peru, Philippines, Saint Lucia, South Africa, Thailand, 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, Bahrain, Barbados, Brazil, Chile, Dominican Republic, Egypt, Guatemala, India, Israel, Mexico, New Zealand, Oman, Peru, Philippines, Saint Lucia, South Africa, Thailand, Trinidad and Tobago;

- (iii) [no change]”

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FEES PAYABLE UNDER THE PCT

AT Austria

The **Austrian Patent Office** has notified a new amount, in **euro (EUR)**, of the fee for the priority document payable to it as receiving Office, which will change from a page-dependent fee to a flat-rate fee. This amount, applicable from 1 July 2010, is EUR 100.

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

Furthermore, the Office has notified a new amount of the document fee (*Schriftengebühr*) for patents and for utility models, in **euro (EUR)**, payable to it as designated (or elected) Office. This amount, also applicable from 1 July 2010, is EUR 50.

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

Moreover, pursuant to PCT Rule 16.1(d), a new equivalent amount in **US dollars (USD)** has been established for the search fee for an international search carried out by the Office. This amount, applicable from 1 September 2010, is USD 2,094.

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

CA Canada

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 2010, is EUR 1,210.

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

CN China

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 **State Intellectual Property Office of the People's Republic of China**. This amount, applicable from 1 September 2010, is EUR 249.

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

DK Denmark

New equivalent amounts in **Danish kroner (DKK)** 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 4 of the PCT Schedule of Fees. These amounts, applicable from 15 August 2010, are as follows:

International filing fee:	DKK 7,060
Fee per sheet in excess of 30:	DKK 80
Reductions (under PCT Schedule of Fees, item 4):	
PCT-EASY:	DKK 530
Electronic filing (the request in character coded format):	DKK 1,060
Electronic filing (the request, description, claims and abstract in character coded format):	DKK 1,590

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

EP European Patent Organisation

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 2010, is SGD 3,070.

[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 one of the reductions under item 4 of the PCT Schedule of Fees. These amounts, applicable from 1 September 2010, are as follows:

International filing fee:	SGD1,633
Fee per sheet in excess of 30:	SGD 18
Reduction (under PCT Schedule of Fees, item 4):	
PCT-EASY:	SGD 123

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

US United States of America

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 **United States Patent and Trademark Office (USPTO)**. This amount, applicable from 1 September 2010, is CHF 2,411.

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

**INTERNATIONAL SEARCHING AUTHORITIES
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES**

AU Australia

Agreement between the Government of Australia and the International Bureau of the World Intellectual Property Organization¹ – Amendment to Article 11

The **Australian Patent Office** has notified the International Bureau, in accordance with Article 11(1) of the above-mentioned Agreement, of amendments to Article 11(2) and (4) thereof.² These amendments enter into force on 1 July 2010. The amended Article 11 reads as follows:

**“Article 11
Amendment**

(1) [No change]

(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; and, notwithstanding paragraph (4), they shall take effect on the date agreed upon by them.

(3) [No change]

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any change in the currency or amount of fees or charges contained in Annex C, for any addition of new fees or charges, and for any change in the conditions for and the extent of refunds or reductions of fees contained in Annex C, that date is at least two months later than the date on which the notification is received by the International Bureau.”

JP Japan

Agreement between the Japan Patent Office and the International Bureau of the World Intellectual Property Organization³ – Amendment to Article 11

The **Japan Patent Office** has notified the International Bureau, in accordance with Article 11(1) of the above-mentioned Agreement, of amendments to Article 11(2) and (4) thereof.² These amendments enter into force on 1 July 2010. The amended Article 11 reads as follows:

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

² See also the Official Notices (PCT Gazette) of 4 February 2010, pages 29, 30 and 32.

³ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_jp.pdf.

**“Article 11
Amendment**

(1) [No change]

(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; and, notwithstanding paragraph (4), they shall take effect on the date agreed upon by them.

(3) [No change]

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any change in the currency or amount of fees or charges contained in Annex C, for any addition of new fees or charges, and for any change in the conditions for and the extent of refunds or reductions of fees contained in Annex C, that date is at least two months later than the date on which the notification is received by the International Bureau.”

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The publication 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.

MODIFICATIONS OF THE ADMINISTRATIVE INSTRUCTIONS UNDER THE PCT

NOTE PREPARED BY THE INTERNATIONAL BUREAU

Following consultation with interested Offices and Authorities pursuant to PCT Rule 89.2(b), modifications to Sections 411 and 613 of the Administrative Instructions under the PCT, as set out below, are promulgated with effect from 1 July 2010.

The modifications to Section 411 are in line with the modifications to the Administrative Instructions to implement PCT Rule 17.1(b-*bis*) allowing the applicant to request that priority documents be obtained by receiving Offices and the International Bureau from digital libraries, which entered into force on 1 January 2010 (see the Official Notices (PCT Gazette) of 14 January 2010, pages 2 *et seq.*). The modifications to Section 613 are consequential to amendments of the Regulations under the PCT (renumbering of PCT Rule 57.6, which became PCT Rule 57.4) which enter into force on July 1, 2010 (see the Official Notices (PCT Gazette) of 21 January 2010, pages 10 *et seq.*).

The consolidated text of the Administrative Instructions (PCT/AI/11) as in force from 1 July 2010 is available on the WIPO website at: www.wipo.int/pct/en/texts/pdf/ai_11.pdf.

TEXT OF THE MODIFICATIONS OF THE ADMINISTRATIVE INSTRUCTIONS

(as in force from 1 July 2010)

Section 411

Receipt of Priority Document

(a) The International Bureau shall, in respect of any priority document received or obtained by it, record the date on which the priority document has been received or obtained by it, and notify the applicant and the designated Offices accordingly. The notification should indicate whether the priority document was or was not submitted, transmitted or obtained in compliance with Rule 17.1(a), (b) or (b-*bis*), 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, transmitted or obtained but not in compliance with Rule 17.1(a), (b) or (b-*bis*), 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 613

Invitation to Submit a Request for Refund of Fees under Rule 57.4 or 58.3

The International Preliminary Examining Authority may, before making a refund under Rule 57.4 or 58.3, first invite the applicant to submit a request for the refund.

FEES PAYABLE UNDER THE PCT

CA Canada

A new equivalent amount in **Canadian dollars (CAD)** has been established for the handling fee, pursuant to PCT Rule 57.2(e). This amount, applicable from 1 September 2010, is CAD 185.

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

EP European Patent Organisation

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 4 of the PCT Schedule of Fees. These amounts, applicable from 1 September 2010, are as follows:

International filing fee:	EUR 950
Fee per sheet in excess of 30:	EUR 11
Reductions (under PCT Schedule of Fees, item 4):	
PCT-EASY:	EUR 71
Electronic filing (the request in character coded format):	EUR 143
Electronic filing (the request, description, claims and abstract in character coded format):	EUR 214

[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*]

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 September 2010, is NZD 3,305.

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

IL Israel

The **Israel Patent Office** has notified new amounts of the transmittal fee (PCT Rule 14) and of the filing fee component of the national fee, in **new Israeli sheqalim (ILS)**, payable to it as receiving Office and as designated (or elected) Office,

respectively. These amounts, applicable from 1 July 2010, are ILS 534 and ILS 1,024, respectively.

[Updating of Annex C(IL) and of the National Chapter, Summary (IL), 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 4 of the PCT Schedule of Fees. These amounts, applicable from 1 September 2010, are as follows:

International filing fee:	JPY 104,900
Fee per sheet in excess of 30:	JPY 1,200
Reductions (under PCT Schedule of Fees, item 4):	
PCT-EASY:	JPY 7,900
Electronic filing (the request, description, claims and abstract in character coded format):	JPY 23,700

[Updating of Annex C(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, new equivalent amounts in **Swiss francs (CHF)** and in **euro (EUR)** have been established for the search fee (PCT Rule 16) for an international search carried out by the **Japan Patent Office**. These amounts, applicable from 1 September 2010, are CHF 1,230 and EUR 878, respectively.

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

MX Mexico

The **Mexican Institute of Industrial Property** has notified changes with relation to the transmittal fee and to the national fee, payable to it as receiving Office and as designated (or elected) Office, respectively. These fees are subject to a national tax of 16% since 2 January 2010.

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

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 4 of the PCT Schedule of Fees. These amounts, applicable from 1 September 2010, are as follows:

International filing fee:	USD	1,147
Fee per sheet in excess of 30:	USD	13
Reductions (under PCT Schedule of Fees, item 4):		
PCT-EASY:	USD	86
Electronic filing (the request not in character coded format):	USD	86
Electronic filing (the request in character coded format):	USD	173
Electronic filing (the request, description, claims and abstract in character coded format):	USD	259

[Updating of Annexes C(AM), C(AP), C(AZ), C(BH), C(BW), C(BY), C(BZ), C(CO), C(CR), C(CU), C(DO), C(EA), C(EC), C(EG), C(GE), C(GH), C(GT), 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(SV), 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*]

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 in **euro (EUR)** has been established for the search fee (PCT Rule 16) for an international search carried out by the **United States Patent and Trademark Office (USPTO)**. This amount, applicable from 1 September 2010, is EUR 1,736.

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

INTERNATIONAL SEARCHING AUTHORITIES (SUPPLEMENTARY SEARCH)

EP European Patent Organisation

Information on the requirements of the **European Patent Office (EPO)** as International Searching Authority (Supplementary Search) is given in Annex SISA(EP), which is published on pages 119 to 121.

SISA International Searching Authorities SISA
(Supplementary Search)
EP EUROPEAN PATENT OFFICE (EPO) EP

Fees payable to the International Bureau: ¹	Currency: Swiss franc (CHF)
Supplementary search fee (PCT Rule 45bis.3): ²	CHF 2,628
Supplementary search handling fee (PCT Rule 45bis.2):	CHF 200
Late payment fee (PCT Rule 45bis.4(c)):	CHF 100
Fees payable to the Authority:	Currency: Euro (EUR)
Review fee (PCT Rule 45bis.6(c)):	EUR 790
Late furnishing fee (PCT Rules 13ter.1(c) and 45bis.5(c)):	EUR 210
Conditions for refund and amount of refund of the supplementary search fee:	<p>Money paid by mistake, without cause, or in excess, will be refunded.</p> <p>The International Bureau shall refund this fee where the supplementary search request has not yet been transmitted to the Authority and the international application is withdrawn or considered withdrawn, or the supplementary search request is withdrawn or considered not to have been submitted (see PCT Rule 45bis.3(d)): refund of 100%</p> <p>The Authority shall refund this fee if, before it has started the supplementary international search in accordance with PCT Rule 45bis.5(a), the supplementary search request is considered not to have been submitted under PCT Rule 45bis.5(g).</p> <p>The Authority shall refund this fee if, after receipt of the documents specified in PCT Rule 45bis.4(e)(i) to (iv), but before it has started the supplementary international search in accordance with PCT Rule 45bis.5(a), it is notified of the withdrawal of the international application or of the supplementary search request.</p>
Languages accepted for supplementary international search:	English, French, German
Subject matter that will not be searched:	The subject matter specified in items (i) to (vi) of PCT Rule 39.1 with the exception of all subject matter which is searched under the European patent grant procedure
Scope of documentation included in the supplementary international search:	In addition to PCT minimum documentation, the Authority shall include the documents held in its search collection.

[Continued on next page]

¹ For further details on the payment of fees to the International Bureau, see the WIPO web site at www.wipo.int/pct/en/fees/special.html.

² This fee is fixed by the Authority in euro and will be revised from time to time to reflect currency fluctuations between the euro and the Swiss franc.

SISA **International Searching Authorities** **SISA**
(Supplementary Search)

EP **EUROPEAN PATENT OFFICE (EPO)** **EP**

[Continued]

Limitations on supplementary international search:

The Authority will not search 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.³

Where applicable, the Authority shall start the supplementary international search in accordance with PCT Rule 45*bis*.5(a) only if a copy of a sequence listing in electronic form complying with the standard provided for in the Administrative Instructions is furnished under PCT Rule 45*bis*.1(c)(ii) and thereafter transmitted to it under PCT Rule 45*bis*.4(e)(iii).

The Authority will conduct a maximum of 700 supplementary international searches per year.

Does the Authority require that nucleotide and/or amino acid sequence listings be furnished in electronic form (PCT Rules 13*ter*.1 and 45*bis*.5(c))?

Yes

Which types of electronic medium does the Authority require?

CD-ROM (type: ISO/IEC 10149:1995, 120 mm CD-ROM; format: ISO 9660, 650 MB)

CD-R (type: 120 mm CD-Recordable Disk; format: ISO 9660, 650 MB)

DVD (type: ISO/IEC 16448:1999, 120 mm DVD—Read-Only Disk; format: 4.7 GB, conforming to either ISO 9660 or OSTA UDF (1.02 and higher))

DVD-R (type: Standard ECMA-279, 120 mm (3.95 GB per side)—DVD-Recordable; format: 3.95 GB, conforming to either ISO 9660 or OSTA UDF (1.02 and higher))

[Continued on next page]

³ The relevant field of business methods is defined in the International Patent Classification subclasses set out in the *Official Notices (PCT Gazette)* dated 6 May 2010, page 94 or OJ EPO 5/2010, pages 311 and 312.

SISA **International Searching Authorities** **SISA**
(Supplementary Search)

EP **EUROPEAN PATENT OFFICE (EPO)** **EP**

[Continued]

Waiver of power of attorney:

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

Yes⁴

Particular instances in which a separate power of attorney is required:

Where procedural acts are performed by a purported agent who is not the agent of record, unless the purported agent belongs to the same office as the agent of record, or if both the purported agent and the agent of record are employees of the applicant or, if there is more than one applicant, of the common representative; or in case of doubt as to the agent's or the common representative's entitlement to act.

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

Yes⁴

Particular instances in which a copy of a general power of attorney is required:

Where procedural acts are performed by a purported agent who is not the agent of record, unless the purported agent belongs to the same office as the agent of record, or if both the purported agent and the agent of record are employees of the applicant or, if there is more than one applicant, of the common representative; or in case of doubt as to the agent's or the common representative's entitlement to act.

⁴ Waivers of powers of attorney do not apply (PCT Rule 90.4(e) and 90.5(d)) where the agent or common representative submits any notice of withdrawal during the international phase (PCT Rule 90*bis*.1 to 90*bis*.4, see also International Phase, paragraph 11.048).

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FEES PAYABLE UNDER THE PCT

CN China

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 **State Intellectual Property Office of the People's Republic of China**. This amount, applicable from 15 September 2010, is CHF 351.

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

EP European Patent Organisation

Pursuant to PCT Rule 16.1(d), new equivalent amounts in **Icelandic kronur (ISK)**, **Japanese yen (JPY)** and **US dollars (USD)** have been established for the search fee for an international search carried out by the **European Patent Office (EPO)**. These amounts, applicable from 15 September 2010, are ISK 278,000, JPY 195,800 and USD 2,185, respectively.

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

ES Spain

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **US dollars (USD)** has been established for the search fee for an international search carried out by the **Spanish Patent and Trademark Office**. This amount, applicable from 15 September 2010, is USD 2,185.

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

FI Finland

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **US dollars (USD)** has been established for the search fee for an international search carried out by the **National Board of Patents and Registration of Finland**. This amount, applicable from 15 September 2010, is USD 2,185.

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

SE Sweden

The **Swedish Patent and Registration Office** has notified a new equivalent amount of the search fee (PCT Rule 16), in **US dollars (USD)**, payable to it as International Searching Authority. This amount, applicable from 15 September 2010, is USD 2,185.

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

XN Nordic Patent Institute
IB International Bureau

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 **Nordic Patent Institute** for the purposes of the payment of fees to the **International Bureau** as receiving Office. This amount, applicable from 15 September 2010, is USD 2,185.

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

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The publication 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 new amounts of the search fee (PCT Rule 16.1(a)) and of the additional search fee (PCT Rule 40.2(a)), in **Australian dollars (AUD)**, payable to it as International Searching Authority. These amounts, applicable from 1 August 2010, are AUD 1,900 for each of the fees.

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

BR Brazil

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)** has been established for the search fee (PCT Rule 16) for an international search carried out by the **National Institute of Industrial Property**. This amount, applicable from 15 September 2010, is EUR 869.

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

EP European Patent Organisation

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **South African rand (ZAR)** has been established for the search fee for an international search carried out by the **European Patent Office (EPO)**. This amount, applicable from 15 September 2010, is ZAR 16,600.

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

RECEIVING OFFICES

VC Saint Vincent and the Grenadines

IB International Bureau

The **International Bureau** acting for the **Commerce and Intellectual Property Office (Saint Vincent and the Grenadines)** 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 Saint Vincent and the Grenadines with the International Bureau as receiving Office, with effect since 1 April 2010.

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

**INTERNATIONAL SEARCHING AUTHORITIES
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES**

AT Austria

Agreement between the Federal Minister of Transport, Innovation and Technology of the Republic of Austria and the International Bureau of the World Intellectual Property Organization¹ – Amendment to Article 11

The **Austrian Patent Office** has notified the International Bureau, in accordance with Article 11(1) of the above-mentioned Agreement, of amendments to Article 11(2) and (4) thereof.² These amendments entered into force on 1 July 2010. The amended Article 11 reads as follows:

**“Article 11
Amendment**

(1) [No change]

(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; and, notwithstanding paragraph (4), they shall take effect on the date agreed upon by them.

(3) [No change]

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any change in the currency or amount of fees or charges contained in Annex C, for any addition of new fees or charges, and for any change in the conditions for and the extent of refunds or reductions of fees contained in Annex C, that date is at least two months later than the date on which the notification is received by the International Bureau.”

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

² See also the Official Notices (PCT Gazette) of 4 February 2010, pages 29, 30 and 32.

AU Australia

Agreement between the Government of Australia and the International Bureau of the World Intellectual Property Organization³ – 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 August 2010. 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))	1,900
Additional fee (Rule 40.2(a))	1,900
Preliminary Examination fee (Rule 58.1(b)):	
– where the international search report was issued by the Authority	[No change]
– in other cases	[No change]
Additional fee (Rule 68.3(a))	[No change]
Cost of copies (Rules 44.3(b) and 71.2(b)), per document	[No change]
Cost of copies (Rule 94), per document	[No change]

Part II. [No change]”

³ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_au.pdf.

CA Canada

Agreement between the Canadian Commissioner of Patents and the International Bureau of the World Intellectual Property Organization⁴ – Amendment to Article 11

The **Canadian Intellectual Property Office** has notified the International Bureau, in accordance with Article 11(1) of the above-mentioned Agreement, of amendments to Article 11(2) and (4) thereof.⁵ These amendments entered into force on 1 July 2010. The amended Article 11 reads as follows:

**“Article 11
Amendment**

(1) [No change]

(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; and, notwithstanding paragraph (4), they shall take effect on the date agreed upon by them.

(3) [No change]

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any change in the currency or amount of fees or charges contained in Annex C, for any addition of new fees or charges, and for any change in the conditions for and the extent of refunds or reductions of fees contained in Annex C, that date is at least two months later than the date on which the notification is received by the International Bureau.”

⁴ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_ca.pdf.

⁵ See also the Official Notices (PCT Gazette) of 4 February 2010, pages 29, 30 and 32.

CN China

Agreement between the State Intellectual Property Office of the People’s Republic of China and the International Bureau of the World Intellectual Property Organization⁶ – Amendment to Article 11

The **State Intellectual Property Office of the People’s Republic of China** has notified the International Bureau, in accordance with Article 11(1) of the above-mentioned Agreement, of amendments to Article 11(2) and (4) thereof.⁷ These amendments entered into force on 1 July 2010. The amended Article 11 reads as follows:

**“Article 11
Amendment**

(1) [No change]

(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; and, notwithstanding paragraph (4), they shall take effect on the date agreed upon by them.

(3) [No change]

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any change in the currency or amount of fees or charges contained in Annex C, for any addition of new fees or charges, and for any change in the conditions for and the extent of refunds or reductions of fees contained in Annex C, that date is at least two months later than the date on which the notification is received by the International Bureau.”

⁶ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_cn.pdf.

⁷ See also the Official Notices (PCT Gazette) of 4 February 2010, pages 29, 30 and 32.

FI Finland

Agreement between the National Board of Patents and Registration of Finland and the International Bureau of the World Intellectual Property Organization⁸ – Amendment to Article 11

The **National Board of Patents and Registration of Finland** has notified the International Bureau, in accordance with Article 11(1) of the above-mentioned Agreement, of amendments to Article 11(2) and (4) thereof.⁹ These amendments entered into force on 1 July 2010. The amended Article 11 reads as follows:

**“Article 11
Amendment**

(1) [No change]

(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; and, notwithstanding paragraph (4), they shall take effect on the date agreed upon by them.

(3) [No change]

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any change in the currency or amount of fees or charges contained in Annex C, for any addition of new fees or charges, and for any change in the conditions for and the extent of refunds or reductions of fees contained in Annex C, that date is at least two months later than the date on which the notification is received by the International Bureau.”

⁸ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_fi.pdf.

⁹ See also the Official Notices (PCT Gazette) of 4 February 2010, pages 29, 30 and 32.

SE Sweden

Agreement between the Swedish Patent and Registration Office and the International Bureau of the World Intellectual Property Organization¹⁰ – Amendment to Article 11

The **Swedish Patent and Registration Office** has notified the International Bureau, in accordance with Article 11(1) of the above-mentioned Agreement, of amendments to Article 11(2) and (4) thereof.¹¹ These amendments entered into force on 1 July 2010. The amended Article 11 reads as follows:

**“Article 11
Amendment**

(1) [No change]

(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; and, notwithstanding paragraph (4), they shall take effect on the date agreed upon by them.

(3) [No change]

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any change in the currency or amount of fees or charges contained in Annex C, for any addition of new fees or charges, and for any change in the conditions for and the extent of refunds or reductions of fees contained in Annex C, that date is at least two months later than the date on which the notification is received by the International Bureau.”

¹⁰ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_se.pdf.

¹¹ See also the Official Notices (PCT Gazette) of 4 February 2010, pages 29, 30 and 32.

US United States of America

Agreement between the United States Patent and Trademark Office and the International Bureau of the World Intellectual Property Organization¹² – Amendment to Article 11

The **United States Patent and Trademark Office** has notified the International Bureau, in accordance with Article 11(1) of the above-mentioned Agreement, of amendments to Article 11(2) and (4) thereof.¹³ These amendments entered into force on 1 July 2010. The amended Article 11 reads as follows:

**“Article 11
Amendment**

(1) [No change]

(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; and, notwithstanding paragraph (4), they shall take effect on the date agreed upon by them.

(3) [No change]

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any change in the currency or amount of fees or charges contained in Annex C, for any addition of new fees or charges, and for any change in the conditions for and the extent of refunds or reductions of fees contained in Annex C, that date is at least two months later than the date on which the notification is received by the International Bureau.”

¹² Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_us.pdf.

¹³ See also the Official Notices (PCT Gazette) of 4 February 2010, pages 29, 30 and 32.

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29 July 2010

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JP Japan	135
US United States of America	135

FEES PAYABLE UNDER THE PCT

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 reductions under item 4 of the PCT Schedule of Fees. These amounts, applicable from 1 October 2010, are as follows:

International filing fee:	ISK	151,800
Fee per sheet in excess of 30:	ISK	1,700
Reductions (under PCT Schedule of Fees, item 4):		
PCT-EASY:	ISK	11,400
Electronic filing (the request in character coded format):	ISK	22,800
Electronic filing (the request, description, claims and abstract in character coded format):	ISK	34,200

[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 October 2010, is KRW 1,295,000.

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

US United States of America

A new equivalent amount in **US dollars (USD)** has been established for the handling fee, pursuant to PCT Rule 57.2(e). This amount, applicable from 1 October 2010, is USD 175.

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

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5 August 2010

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INFORMATION ON CONTRACTING STATES AND INTERGOVERNMENTAL ORGANIZATIONS

GB United Kingdom

The **United Kingdom Intellectual Property Office (an operating name of the Patent Office)** has notified changes in its telephone numbers and e-mail addresses, which now read as follows:

Telephone: (44-1633) 81 45 86 (for international applications)
(44-1633) 81 40 00 (operator service)
(44-3000) 20 00 15 (Minicom number for deaf or hard of hearing)

E-mail: pct@ipo.gov.uk (for PCT enquiries only)
information@ipo.gov.uk (for general enquiries only)

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

RS Serbia EP European Patent Organisation

Serbia deposited, on 15 July 2010, its instrument of accession to the **European Patent Convention (EPC)** and will become bound by that Convention on 1 October 2010. Thus, from 1 October 2010, it will be possible for applicants to designate Serbia 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, from 1 October 2010, nationals and residents of Serbia will be able to file international applications with the European Patent Office (EPO) as receiving Office, in addition to the Intellectual Property Office (Serbia) or the International Bureau of WIPO.

[Updating of Annexes B1(RS), B2(EP) and C(EP), and of the National Chapter, Summary (EP), of the *PCT Applicant's Guide*]

FEES PAYABLE UNDER THE PCT

AT Austria

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **South African rand (ZAR)** has been established for the search fee for an international search carried out by the **Austrian Patent Office**. This amount, applicable from 1 October 2010, is ZAR 15,730.

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

AU Australia

Further to the announcement published in the Official Notices (PCT Gazette) of 22 July 2010, page 126, 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(d), 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 since 1 August 2010, are CHF 1,730, EUR 1,311, KRW 1,970,000, NZD 2,334, SGD 2,240, USD 1,605 and ZAR 12,300, respectively.

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

IB International Bureau

For the purposes of the **International Bureau** as receiving Office, new equivalent amounts of fees in **euro (EUR)** and **US dollars (USD)** have been established. These amounts, applicable from 1 September 2010, are as follows:

Transmittal fee:	EUR 71	USD 86
Fee for priority document (PCT Rules 17.1(b) and 21.2):	EUR 36	USD 43
	Supplement for airmail:	
	EUR [No change]	USD 9

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

SE Sweden

The **Swedish Patent and Registration Office** has notified a new equivalent amount of the search fee (PCT Rule 16), in **Icelandic kronur (ISK)**, payable to it as International Searching Authority. This amount, applicable from 15 September 2010, is ISK 278,000.

[Updating of Annex D(SE) 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 and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for one of the reductions under item 4 of the PCT Schedule of Fees. These amounts, applicable from 1 October 2010, are as follows:

International filing fee:	ZAR 8,990
Fee per sheet in excess of 30:	ZAR 100
Reduction (under PCT Schedule of Fees, item 4):	
PCT-EASY:	ZAR 680

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

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 Article 11

The **Spanish Patent and Trademark Office** has notified the International Bureau, in accordance with Article 11(1) of the above-mentioned Agreement, of amendments to Article 11(2) and (4) thereof.² These amendments entered into force on 1 July 2010. The amended Article 11 reads as follows:

“Article 11 Amendment

(1) [No change]

(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; and, notwithstanding paragraph (4), they shall take effect on the date agreed upon by them.

(3) [No change]

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any change in the currency or amount of fees or charges contained in Annex C, for any addition of new fees or charges, and for any change in the conditions for and the extent of refunds or reductions of fees contained in Annex C, that date is at least two months later than the date on which the notification is received by the International Bureau.”

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

² See also the Official Notices (PCT Gazette) of 4 February 2010, pages 29, 30 and 32.

DEPOSITS OF MICROORGANISMS AND OTHER BIOLOGICAL MATERIAL: REQUIREMENTS OF DESIGNATED AND ELECTED OFFICES

EP European Patent Organisation

The **European Patent Office (EPO)** has notified changes in its requirements concerning the deposit of microorganisms and other biological material. The consolidated table of requirements reads as follows:

Time (if any) earlier than 16 months from priority date by which applicant must furnish:		Additional indications (if any) which must be given besides those prescribed in Rule 13bis.3(a)(i) to (iii) pursuant to notifications from the Offices concerned
the indications prescribed in Rule 13bis.3(a)(i) to (iii)	any additional matter specified in the adjacent right-hand column	
None	At the time of filing	To the extent available to the applicant, relevant information on the characteristics of the biological material

Deposits with CNCM can be made under the Budapest Treaty or, as far as the deposits of cell cultures, mycoplasma and rickettsiae are concerned, under a bilateral agreement with the EPO.

If the applicant wishes that, until the publication of the mention of the grant of a European patent or for 20 years from the date of filing if the application is refused or withdrawn or deemed to be withdrawn, the biological material shall be made available as provided in Rule 33(1) of the European Patent Convention (EPC) only by the issue of a sample to an expert nominated by the requester (EPC Rule 32(1)), the applicant must, by a written statement, inform the International Bureau accordingly before completion of technical preparations for publication of the international application where such publication takes place in one of the EPO official languages, i.e., English, French or German. Such a statement must be separate from the description and the claims of the international application and must preferably be made on Form PCT/RO/134, referred to in Section 209 of the Administrative Instructions under the PCT and available on the WIPO website at: www.wipo.int/pct/en/forms/ro/editable/ed_ro134.pdf.

WARNING: Where the invention involves the use of or concerns biological material which is not available to the public at the date of filing the application and which has been deposited by a person other than the applicant, the reference to such a deposit must include the name and address of the depositor and a statement that the latter has authorized the applicant to refer to the deposited biological material in the application and has given his unreserved and irrevocable consent to the

deposited material being made available to the public in accordance with EPC Rule 31(1)(d). Applicants are reminded that these indications (the name and address of the depositor, and the statement) must be furnished to the International Bureau within the applicable time limit under PCT Rule 13*bis*.4, that is, within 16 months from the priority date of the international application (this period is deemed to have been met if these indications are furnished before the technical preparations for international publication have been completed) or, if the applicant makes a request for early publication under PCT Article 21(2)(b), up to the date on which such a request is made. The failure to meet this time limit cannot be remedied upon entry into the European phase neither by re-establishment of rights nor by further processing. As a result, the application may have to be refused under EPC Article 97(2) in the course of examination proceedings for insufficient disclosure (EPC Article 83).

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

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12 August 2010

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FEES PAYABLE UNDER THE PCT

EP European Patent Organisation

Pursuant to PCT Rule 16.1(d), new equivalent amounts in **Swiss francs (CHF)** and **Swedish kronor (SEK)** have been established for the search fee for an international search carried out by the **European Patent Office (EPO)**. These amounts, applicable from 1 October 2010, are CHF 2,375 and SEK 16,830.

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

RU Russian Federation

A new equivalent amount in **US dollars (USD)** has been established for the handling fee, pursuant to PCT Rule 57.2(e). This amount, applicable from 1 October 2010, is USD 175.

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

INTERNATIONAL SEARCHING AUTHORITIES INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES

KR Republic of Korea

Agreement between the Korean Intellectual Property Office and the International Bureau of the World Intellectual Property Organization¹ – Amendment to Article 11

The **Korean Intellectual Property Office** has notified the International Bureau, in accordance with Article 11(1) of the above-mentioned Agreement, of amendments to Article 11(2) and (4) thereof.² These amendments entered into force on 1 July 2010. The amended Article 11 reads as follows:

“Article 11 Amendment

(1) [No change]

(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; and, notwithstanding paragraph (4), they shall take effect on the date agreed upon by them.

(3) [No change]

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

² See also the Official Notices (PCT Gazette) of 4 February 2010, pages 29, 30 and 32.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any change in the currency or amount of fees or charges contained in Annex C, for any addition of new fees or charges, and for any change in the conditions for and the extent of refunds or reductions of fees contained in Annex C, that date is at least two months later than the date on which the notification is received by the International Bureau.”

XN Nordic Patent Institute

Agreement between the Nordic Patent Institute and the International Bureau of the World Intellectual Property Organization³ – Amendment to Article 11

The **Nordic Patent Institute** has notified the International Bureau, in accordance with Article 11(1) of the above-mentioned Agreement, of amendments to Article 11(2) and (4) thereof.⁴ These amendments entered into force on 1 July 2010. The amended Article 11 reads as follows:

“Article 11 Amendment

(1) [No change]

(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; and, notwithstanding paragraph (4), they shall take effect on the date agreed upon by them.

(3) [No change]

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any change in the currency or amount of fees or charges contained in Annex C, for any addition of new fees or charges, and for any change in the conditions for and the extent of refunds or reductions of fees contained in Annex C, that date is at least two months later than the date on which the notification is received by the International Bureau.”

³ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_xn.pdf.

⁴ See also the Official Notices (PCT Gazette) of 4 February 2010, pages 29, 30 and 32.

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19 August 2010

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INFORMATION ON CONTRACTING STATES

DE Germany

The **German Patent and Trade Mark Office** has notified the following e-mail address: info@dpma.de.

Furthermore, the Office has notified changes concerning the provisions relating to provisional protection after international publication – where the designation is made for the purposes of a European patent and the international application is published in one of the EPO official languages, the applicant may claim compensation appropriate to the circumstances, on condition that the national requirements (that a translation of the claims in the application be published or transmitted to a possible user) have been met (see Article II, Sections 1 and 2, of the Law on International Patent Treaties).

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

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

AU Australia

The **Australian Patent Office** as receiving Office has notified that it accepts, for any international application filed with a PCT-EASY request under Section 102*bis*(a) of the Administrative Instructions under the PCT, the following PCT-EASY physical media: 3.5 inch diskette, CD-ROM or DVD.

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

DE Germany

The **German Patent and Trade Mark Office** as receiving Office has notified that it accepts, for any international application filed with a PCT-EASY request under Section 102*bis*(a) of the Administrative Instructions under the PCT, the following PCT-EASY physical media: 3.5 inch diskette, CD-R, CD-ROM, DVD or DVD-R.

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

KR Republic of Korea

The **Korean Intellectual Property Office** as receiving Office has notified that it accepts, for any international application filed with a PCT-EASY request under Section 102*bis*(a) of the Administrative Instructions under the PCT, the following PCT-EASY physical medium: 3.5 inch diskette.

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

**DEPOSITS OF MICROORGANISMS AND OTHER BIOLOGICAL MATERIAL:
REQUIREMENTS OF DESIGNATED AND ELECTED OFFICES**

DE Germany

The **German Patent and Trade Mark Office** has notified changes in its requirements concerning the deposit of microorganisms and other biological material – the provisions relating to the time (if any) earlier than 16 months from the priority date by which the applicant must furnish the indications prescribed in PCT Rule 13*bis*.3(a)(i) to (iii) are now contained in Sections 1(1), No. 3, and 3(2) of the Ordinance on the Deposit of Biological Material [*BioMatHintV*].

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

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26 August 2010

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US/IB United States of America/International Bureau	150

FEES PAYABLE UNDER THE PCT

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 one of the reductions under item 4 of the PCT Schedule of Fees. These amounts, applicable from 1 November 2010, are as follows:

International filing fee:	SGD1,737
Fee per sheet in excess of 30:	SGD 20
Reduction (under PCT Schedule of Fees, item 4):	
PCT-EASY:	SGD 131

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

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 4 of the PCT Schedule of Fees. These amounts, applicable from 1 November 2010, are as follows:

International filing fee:	USD 1,277
Fee per sheet in excess of 30:	USD 14
Reductions (under PCT Schedule of Fees, item 4):	
PCT-EASY:	USD 96
Electronic filing (the request not in character coded format):	USD 96
Electronic filing (the request in character coded format):	USD 192
Electronic filing (the request, description, claims and abstract in character coded format):	USD 288

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

Furthermore, the Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the 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 but in respect of which the Swiss franc (CHF) is not the official currency. This amount, applicable from 1 November 2010, is CHF 2,166.

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

In addition, a new equivalent amount in **US dollars (USD)** has been established for the handling fee, pursuant to PCT Rule 57.2(e). This amount, applicable from 1 November 2010, is USD 192.

[Updating of Annex E(US) 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 in **euro (EUR)** has been established for the search fee (PCT Rule 16) for an international search carried out by the **United States Patent and Trademark Office (USPTO)**. This amount, applicable from 1 October 2010, is EUR 1,629.

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

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INFORMATION ON CONTRACTING STATES

SV El Salvador

The **National Center of Registries** has notified changes in its telephone and facsimile numbers, which now read as follows:

Telephone: (503) 22 618 608, 22 618 464,
22 618 657

Facsimile machine: (503) 22 607 748, 22 610 813

In addition, the Office has notified changes concerning its requirements as to the time when the name and address of the inventor must be given if El Salvador is designated (or elected) – if they have not been given within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement.

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

FEES PAYABLE UNDER THE PCT

DE Germany

The **German Patent and Trade Mark Office** has notified new amounts of several components of the national fee, in **euro (EUR)**, payable to it as designated (or elected) Office. These amounts, applicable since 1 October 2009, are as follows:

For patent:

Filing fee:

- up to 10 claims: EUR 60
- for each additional claim: EUR 30

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

KR Republic of Korea

The **Korean Intellectual Property Office** has notified new amounts of several components of the national fee, in **Korean won (KRW)**, payable to it as designated (or elected) Office. These amounts, applicable since 1 January 2009, are as follows:

For patent:

- Fee for request for examination: KRW 130,000 plus
KRW 40,000 for each claim
- Annual fees from the first
to the third year, per year: KRW 15,000 plus
KRW 13,000 for each claim

For utility model:

Fee for request for examination:	KRW 65,000 plus KRW 17,000 for each claim
Annual fees from the first to the third year, per year:	KRW 12,000 plus KRW [unchanged] for each claim

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

RU Russian Federation

A new equivalent amount in **US dollars (USD)** has been established for the handling fee, pursuant to PCT Rule 57.2(d)(i). This amount, applicable from 1 November 2010, is USD 192.

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

SE Sweden

The **Swedish Patent and Registration Office** has notified new amounts of the search fee (PCT Rule 16.1(a)) and of the additional search fee (PCT Rule 40.2(a)) in **Swedish kronor (SEK)**, and a new equivalent amount of the search fee in **Swiss francs (CHF)**, applicable from 1 October 2010 and payable for an international search carried out by the Office, as follows:

Search fee:	SEK 16,830 CHF 2,375
Additional search fee:	SEK 16,830

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

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 4 of the PCT Schedule of Fees. These amounts, applicable from 1 November 2010, are as follows:

International filing fee:	USD 1,277
Fee per sheet in excess of 30:	USD 14
Reductions (under PCT Schedule of Fees, item 4):	
PCT-EASY:	USD 96
Electronic filing (the request not in character coded format):	USD 96

Electronic filing (the request in character coded format):	USD	192
Electronic filing (the request, description, claims and abstract in character coded format):	USD	288

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

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

FI Finland

Pursuant to PCT Rule 13*bis*.7(b), the **National Board of Patents and Registration of Finland** has notified the International Bureau of a depositary institution having acquired the status of 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:

VTT Culture Collection (VTTCC)
VTT Technical Research Centre of Finland
Tietotie 2
Espoo
Finland

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

OFFICIAL NOTICES (PCT GAZETTE)

10 September 2010

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

ES Spain

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 **Spanish Patent and Trademark Office (EPO)**, in its capacity as receiving Office, has notified the International Bureau that it withdraws the said notification with effect from 1 October 2010. PCT Rules 20.3(a)(ii) and (b)(ii), 20.5(a)(ii) and (d), and 20.6 therefore apply from that date.

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16 September 2010

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FEES PAYABLE UNDER THE PCT

AU Australia

The **Australian Patent Office** has notified a new amount of the filing fee component of the national fee, in **Australian dollars (AUD)**, payable to it as designated (or elected) Office. This amount, applicable since 1 August 2010, is AUD 340.

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

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23 September 2010

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INTERNATIONAL SEARCHING AUTHORITIES (SUPPLEMENTARY SEARCH)

AT Austria

The **Austrian Patent Office** has notified the International Bureau that it carries out supplementary international searches with effect since 1 August 2010.

FEES PAYABLE UNDER THE PCT

AT Austria

Pursuant to PCT Rule 45bis.3(a), the **Austrian Patent Office** as Authority specified for supplementary search (see above) has notified the following amounts of the supplementary search fee, established in **Swiss francs (CHF)**, applicable since 1 August 2010:

For a search of the European and
North American documentation only: CHF 1,667

For a search of the German-language
documentation only: CHF 1,190

For a search of the PCT
minimum documentation only: CHF 2,381

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** as an International Searching Authority for the purposes of those receiving Offices which have prescribed the Swiss franc (CHF) as a currency of payment for an international search by that Authority. This amount, applicable from 1 October 2010, is CHF 2,375.

[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), a new equivalent amount in **Swiss francs (CHF)** has been established for the search fee for an international search carried out by the **National Board of Patents and Registration of Finland**. This amount, applicable from 1 October 2010, is CHF 2,375.

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

IB International Bureau

For the purposes of the **International Bureau** as receiving Office, new equivalent amounts of fees in **US dollars (USD)** have been established. These amounts, applicable from 1 November 2010, are as follows:

Transmittal fee:	USD 96
Fee for priority document (PCT Rules 17.1(b) and 21.2):	USD 48
	Supplement for airmail: USD 10

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

XN Nordic Patent Institute

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 **Swiss francs (CHF)** has been established for the search fee for an international search carried out by the **Nordic Patent Institute**. This amount, applicable from 1 October 2010, is CHF 2,375.

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

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30 September 2010

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RESTORATION OF RIGHT OF PRIORITY UNDER PCT RULE 26bis.3

DO Dominican Republic

Under PCT Rule 26bis.3(i), the **National Office of Industrial Property**, 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(DO) of the *PCT Applicant's Guide*]

INFORMATION ON CONTRACTING STATES RECEIVING OFFICES

DO Dominican Republic

The **National Office of Industrial Property** has notified changes in its telephone number, which now reads: (809) 567 74 74 (extensions 3451, 3454).

In addition, the Office has notified changes concerning:

- the types of national protection available via the PCT – this protection now applies to patents of invention and utility models;
- its requirements as to the time when the name and address of the inventor must be given if the Dominican Republic is designated (or elected) – 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 a time limit of two months from the date of the invitation.

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

HN Honduras

General information on **Honduras** as a Contracting State, as well as information on the requirements of the **Directorate General of Intellectual Property** as receiving Office, is given in Annexes B1(HN) and C(HN), which are published on pages 165 to 168.

DESIGNATED (OR ELECTED) OFFICES

DO Dominican Republic

Information on the requirements of the **National Office of Industrial Property** as designated (or elected) Office is given in the Summary of the National Chapter (DO), which is published on pages 169 and 170.

SV El Salvador

Information on the requirements of the **National Center of Registries** as designated (or elected) Office is given in the Summary of the National Chapter (SV), which is published on page 171.

DEPOSITS OF MICROORGANISMS AND OTHER BIOLOGICAL MATERIAL: REQUIREMENTS OF DESIGNATED AND ELECTED OFFICES

HN Honduras

The **Directorate General of Intellectual Property** has notified its requirements concerning the deposit of microorganisms and other biological material, as follows:

Time (if any) earlier than 16 months from priority date by which applicant must furnish:		Additional indications (if any) which must be given besides those prescribed in Rule 13bis.3(a)(i) to (iii) pursuant to notifications from the Offices concerned
the indications prescribed in Rule 13bis.3(a)(i) to (iii)	any additional matter specified in the adjacent right-hand column	
At the time of filing, either in the description or separately	At the time of filing, either in the description or separately	To the extent available to the applicant, relevant information on the characteristics of the microorganism
Deposits may be made for the purposes of patent procedure before the Directorate General of Intellectual Property with any depositary institution having acquired the status of international depositary authority under the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure (these institutions are indicated further in this Annex and notifications related thereto may be consulted under www.wipo.int/treaties/en/registration/budapest/) and with any depositary institution recognized by the Office.		

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

B1 Information on Contracting States B1

HN HONDURAS HN

General information

Name of Office:	Dirección General de Propiedad Intelectual Directorate General of Intellectual Property
Location and mailing address:	Edificio anexo San José, Boulevard Kuwait, 3er piso, Tegucigalpa, Honduras
Telephone:	(504) 235 52 79, 235 52 97
Facsimile machine:	(504) 239 72 90
E-mail:	digepih@gmail.com
Internet:	www.digepih.webs.com
Does the Office accept the filing of documents by means of telecommunication (PCT Rule 92.4)?	Yes, by facsimile machine or electronic mail
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 one month from the date of the transmission, if the transmitted document is the international application or a replacement sheet containing corrections or amendments of the international application No, only upon invitation in the case of other documents
Does the Office send notifications via e-mail in respect of international applications?	Yes
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
Competent receiving Office for nationals and residents of Honduras:	Directorate General of Intellectual Property or International Bureau of WIPO, at the choice of the applicant (see Annex C)
Competent designated (or elected) Office if Honduras is designated (or elected):	Directorate General of Intellectual Property
May Honduras 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 Honduras concerning international-type search:	Decree No. 12-99E of the Industrial Property Law of 18 December 1999 and Decree No. 16-2006 of the Implementation of Free Trade Treaty Law of 15 March 2006
Provisional protection after international publication:	None

[Continued on next page]

B1

Information on Contracting States

B1

HN

HONDURAS

HN

[Continued]

Information of interest if Honduras is designated (or elected)

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

Must be in the request. 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?

Yes (see Annex L)

C **Receiving Offices** **C**
HN **DIRECTORATE GENERAL OF** **HN**
INTELLECTUAL PROPERTY

Competent receiving Office for nationals and residents of:	Honduras
Language in which international applications may be filed:	Spanish ¹
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? ²	Yes
Types of physical media accepted by the receiving Office:	CD-ROM, DVD
Does the receiving Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)?	Yes, the Office applies both the “unintentional” and the “due care” criteria to 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: US dollar (USD)
Transmittal fee:	USD 200
International filing fee: ³	USD 1,147 (1,277) ⁴
Fee per sheet in excess of 30: ³	USD 13 (14) ⁴
Reductions (under Schedule of Fees, item 4):	
PCT-EASY: ²	USD 86 (96) ⁴
Search fee:	See Annex D(EP) or (ES)
Fee for priority document (PCT Rule 17.1(b)):	USD 50
Fee for requesting restoration of the right of priority (PCT Rule 26bis.3(d)):	USD 50

[Continued on next page]

¹ Depending on the applicant’s choice of competent International Searching Authority, a translation into a corresponding language (see Annex D) may have to be furnished by the applicant (PCT Rule 12.3).

² Where the request is filed in PCT-EASY format together with the electronic file on a physical medium and the receiving Office accepts such filings, the total amount of the international filing fee is reduced (see “Fees payable to the receiving Office”).

³ This fee is reduced by 90% if certain conditions apply (see Annex C(IB)).

⁴ The amount in parentheses is applicable as from 1 November 2010.

C **Receiving Offices** **C**
HN **DIRECTORATE GENERAL OF** **HN**
INTELLECTUAL PROPERTY

[Continued]

Is an agent required by
the receiving Office?

Yes

Who can act as agent?

Any attorney registered in Honduras

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

SUMMARY

**Designated
(or elected) Office**

SUMMARY

DO

**NATIONAL OFFICE OF INDUSTRIAL
PROPERTY**

DO

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into: ¹	Spanish
Required contents of the translation for entry into the national phase: ¹	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended), any text matter of drawings, abstract Under PCT Article 39(1): Description, claims, any text matter of drawings, abstract (if any of those parts has been amended, both as originally filed and as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:	Currency: Dominican peso (DOP) For patent: Filing fee: ¹ DOP 8,002 For utility model: Filing fee: ¹ DOP 6,060
Exemptions, reductions or refunds of the national fee:	The fees are reduced by up to 90% where the applicant is the inventor and he provides a declaration indicating that his economic situation prevents him from paying the full amount of the fees.
Special requirements of the Office (PCT Rule 51bis):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application ^{2,3} Document evidencing a change of name of the applicant ³ Declaration as to the applicant's entitlement to apply for and be granted a patent ^{2,3} Declaration as to the applicant's entitlement to claim priority where the applicant is not the applicant who filed the earlier application ^{2,3} Translation of the international application to be furnished in two copies ³ Appointment of an agent if the applicant is not resident in the Dominican Republic Power of attorney if an agent is appointed Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form

[Continued on next page]

¹ Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).

² This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

³ 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.

SUMMARY

**Designated
(or elected) Office**

SUMMARY

DO

**NATIONAL OFFICE OF INDUSTRIAL
PROPERTY**

DO

[Continued]

Who can act as agent?

Any natural or legal person resident in the Dominican Republic

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

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

SUMMARY

**Designated
(or elected) Office**

SUMMARY

SV

NATIONAL CENTER OF REGISTRIES

SV

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into: ¹	Spanish
Required contents of the translation for entry into the national phase: ¹	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended), any text matter of drawings, abstract Under PCT Article 39(1): Description, claims, any text matter of drawings, abstract (if any of those parts has been amended, both as originally filed and as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:	Currency: US dollar (USD) Filing fee: ¹ USD 57.14
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51 <i>bis</i>):	Name and address of the inventor if they have not been furnished in the "Request" part of the international application ^{2,3} Document evidencing a change of name of the applicant ³ Translation of the international application to be furnished in three copies ³ Appointment of an agent if the applicant is not resident in El Salvador Power of attorney if an agent is appointed Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form
Who can act as agent?	Any attorney registered in El Salvador
Does the Office accept requests for restoration of the right of priority (PCT Rule 49 <i>ter.2</i>)?	Yes, please refer to the Office for the applicable criteria.

¹ Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).

² This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

³ 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.

OFFICIAL NOTICES (PCT GAZETTE)

7 October 2010

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

CR Costa Rica

Under PCT Rules 26bis.3(i) and 49ter.2(g), the **Registry of Industrial Property**, 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(CR) and of the National Chapter, Summary (CR), of the *PCT Applicant's Guide*]

INFORMATION ON CONTRACTING STATES

CR Costa Rica

The **Registry of Industrial Property** has notified a change in its Internet address, which now reads as follows:

www.rnp.go.cr/propiedad_industrial/propiedad_industrial_informacion_general.htm

In addition, the Office has notified a change concerning its requirements as to the time when the name and address of the inventor must be given if Costa Rica is designated (or elected) – if not already complied with within the time limit applicable under PCT Article 22 or 39(1)(a), the Office will invite the applicant to comply with the requirement within a time limit of two months from the date of the invitation.

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

DESIGNATED (OR ELECTED) OFFICES

CR Costa Rica

The **Registry of Industrial Property** has notified changes concerning:

– the reduction of the national filing fee for a patent, payable to it as designated (or elected) Office, where the application is filed by an inventor who is a natural person, by a small or medium-sized enterprise, by a public academic institution or by a public sector scientific and technological research institute – this reduction now amounts to 30%;

– the exemptions, reductions or refunds of the national fee – refunds of up to 50% may be possible (see Article 14 of the Regulations, Law No. 6867).

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

OFFICIAL NOTICES (PCT GAZETTE)

14 October 2010

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

ES Spain

The **Spanish Patent and Trademark Office**, in its capacity as receiving Office, has notified the International Bureau of the following changes to its notification pertaining to the filing and processing in electronic form of international applications (see PCT Gazette No. 03/2004, pages 1732 *et seq.*), applicable from 15 October 2010:

“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)
- ASCII (see Annex F, section 3.1.1.3)

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

Online payment is available through the Office’s website (www.oepm.es). Applicants wishing to use this facility should refer to the Office’s website for further details prior to entering payment information into the PCT-SAFE software.”

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

ES Spain

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 **Spanish Patent and Trademark Office**, in its capacity as designated Office, has notified the International Bureau that it has withdrawn the said notification with effect since 1 October 2010. PCT Rules 20.3(a)(ii) and (b)(ii), 20.5(a)(ii) and (d), and 20.6 therefore apply since that date.

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28 October 2010

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DEPOSITS OF MICROORGANISMS AND OTHER BIOLOGICAL MATERIAL: REQUIREMENTS OF DESIGNATED AND ELECTED OFFICES

EP European Patent Organisation

Pursuant to PCT Rule 13*bis*.7(a)(i), the **European Patent Office (EPO)** has notified the International Bureau of the following notification, which will replace the notification published in PCT Gazette No. 49/1996, page 21263, with effect from 1 January 2011:

“In accordance with PCT Rule 13*bis*.3(a)(iv), where an invention involves the use of or concerns biological material which is not available to the public at the time of filing the international application, the following additional matter should be indicated by any applicant willing to enter the regional phase before the EPO as designated or elected Office:

1. to the extent available to the applicant, relevant information on the characteristics of the biological material should be mentioned (see EPC Rule 31(1)(b)); and

2. where the biological material has been deposited by a person other than the applicant with a recognized depository institution (see EPC Rule 31(1)(d)),

(a) the name and the address of the depositor should be stated in the application, and

(b) a statement that the depositor has authorised the applicant to refer to the deposited biological material in the application and has given his unreserved and irrevocable consent to the deposited material being made available to the public in accordance with EPC Rule 33 should be included in the submission.

These indications must be submitted within the applicable time limit under PCT Rule 13*bis*.4 (that is, generally, within 16 months from the priority date). Upon entry into the European phase, that time limit will usually already have expired while the failure to meet this time limit cannot be remedied neither by re-establishment of rights nor by further processing. As a result, the application may have to be refused under EPC Article 97(2) in the course of the examination proceedings for insufficient disclosure under EPC Article 83.

The requirement under item 2 applies when the depositor is not applicant for the EPO, for instance where the depositor is applicant-inventor for the United States of America only.

It follows that applicants are strongly recommended to file of their own motion a completed Form PCT/RO/134 as well as the deposit receipt with the International Bureau before expiry of the applicable time limit. Where the deposit was made by a person other than the applicant, this should be indicated under point C of Form PCT/RO/134 and a ‘statement of authorisation and consent’ should be filed in addition within the applicable time limit.

For any further details, reference is made to the Notice from the EPO dated 7 July 2010 concerning inventions which involve the use of or concern biological material (OJ EPO 10/2010, 498) and to the EPO Chapter in the *PCT Applicant's Guide* – International Phase – Annex L.”

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

OFFICIAL NOTICES (PCT GAZETTE)

4 November 2010

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INFORMATION ON CONTRACTING STATES

GB United Kingdom

The **United Kingdom Intellectual Property Office (an operating name of the Patent Office)** has notified an additional telephone number, as follows:

0300 300 2000 (within the United Kingdom)

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

NA Namibia

The **Registration of Companies, Close Corporations and Industrial Property Rights Office (Namibia)** has notified a change in its mailing address, which now reads as follows:

Private Bag 13340, Windhoek, Namibia

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

RECEIVING OFFICES

CL Chile

The **National Industrial Property Institute** has specified the Korean Intellectual Property Office, in addition to the European Patent Office (EPO), the Spanish Patent and Trademark Office and the United States Patent and Trademark Office (USPTO), as competent International Searching and International Preliminary Examining Authority since 1 October 2010 for international applications filed by nationals and residents of Chile with the National Industrial Property Institute.

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

INTERNATIONAL SEARCHING AUTHORITIES INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES

KR Republic of Korea

Agreement between the Korean Intellectual Property Office and the International Bureau of the World Intellectual Property Organization¹ – Amendment to Annex A

The **Korean Intellectual Property Office** 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 19 October 2010. The amended Annex A reads as follows:

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

**“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;

Australia, Chile, Indonesia, Malaysia, Mongolia, New Zealand, Philippines,
Singapore, Sri Lanka, Thailand, United States of America, Viet Nam; and
any country that the Authority will specify;

(ii) [no change]”

OFFICIAL NOTICES (PCT GAZETTE)

11 November 2010

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INFORMATION ON CONTRACTING STATES

PT Portugal

The **National Institute of Industrial Property (Portugal)** has notified a change in its e-mail address, which now reads as follows:

atm@inpi.pt

In addition, the Office has notified the discontinuance of the use of its teleprinter.

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

FEES PAYABLE UNDER THE PCT

EP European Patent Organisation

Pursuant to PCT Rule 45*bis*.3(b), a new equivalent amount in **Swiss francs (CHF)** has been established for the supplementary search fee for a supplementary international search carried out by the **European Patent Office (EPO)**. This amount, applicable since 1 October 2010, is CHF 2,375.

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

FI Finland

Pursuant to PCT Rule 45*bis*.3(b), a new equivalent amount in **Swiss francs (CHF)** has been established for the supplementary search fee for a supplementary international search carried out by the **National Board of Patents and Registration of Finland**. This amount, applicable since 1 October 2010, is CHF 2,375.

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

PT Portugal

The **National Institute of Industrial Property (Portugal)** has notified new amounts of the filing fee components of the national fee, in **euro (EUR)**, payable to it as designated (or elected) Office. These amounts, applicable since 13 July 2010, are as follows:

For patent:

Filing fee (including publication and examination):	EUR	100	(online)
	EUR	200	(on paper)

For utility model:

Filing fee (including publication):	EUR	100	(online)
	EUR	200	(on paper)
Examination fee:		[unchanged]	

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

SE Sweden

Pursuant to PCT Rule 45*bis*.3(b), a new equivalent amount in **Swiss francs (CHF)** has been established for the supplementary search fee for a supplementary international search carried out by the **Swedish Patent and Registration Office**. This amount, applicable since 1 October 2010, is CHF 2,375.

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

XN Nordic Patent Institute

Pursuant to PCT Rule 45*bis*.3(b), a new equivalent amount in **Swiss francs (CHF)** has been established for the supplementary search fee for a supplementary international search carried out by the **Nordic Patent Institute**. This amount, applicable since 1 October 2010, is CHF 2,375.

[Updating of Annex SISA(XN) of the *PCT Applicant's Guide*]

DEPOSITS OF MICROORGANISMS AND OTHER BIOLOGICAL MATERIAL: REQUIREMENTS OF DESIGNATED AND ELECTED OFFICES

EP European Patent Organisation

The **European Patent Office (EPO)** has notified changes in its requirements concerning the deposit of microorganisms and other biological material. The consolidated table of requirements reads as follows:

Time (if any) earlier than 16 months from priority date by which applicant must furnish:		Additional indications (if any) which must be given besides those prescribed in Rule 13bis.3(a)(i) to (iii) pursuant to notifications from the Offices concerned
the indications prescribed in Rule 13bis.3(a)(i) to (iii)	any additional matter specified in the adjacent right-hand column	
None	At the time of filing	To the extent available to the applicant, relevant information on the characteristics of the biological material

Deposits with CNCM can be made under the Budapest Treaty or, as far as the deposits of cell cultures, mycoplasma and rickettsiae are concerned, under a bilateral agreement with the EPO.

If the applicant wishes that, until the publication of the mention of the grant of a European patent or for 20 years from the date of filing if the application is refused or withdrawn or deemed to be withdrawn, the biological material shall be made available as provided in Rule 33(1) of the European Patent Convention (EPC) only by the issue of a sample to an expert nominated by the requester (EPC Rule 32(1)), the applicant must, by a written statement, inform the International Bureau accordingly before completion of technical preparations for publication of the international application where such publication takes place in one of the EPO official languages, i.e., English, French or German. Such a statement must be separate from the description and the claims of the international application and must preferably be made on Form PCT/RO/134, referred to in Section 209 of the Administrative Instructions under the PCT and available on the WIPO website at: www.wipo.int/pct/en/forms/ro/editable/ed_ro134.pdf.

WARNING: Where the invention involves the use of or concerns biological material which is not available to the public at the date of filing the application and which has been deposited by a person other than the applicant, the reference to such a deposit must include the name and address of the depositor and a statement that the latter has authorized the applicant to refer to the deposited biological material in the application and has given his unreserved and irrevocable consent to the deposited material being made available to the public in accordance with EPC Rule 31(1)(d). If any of these indications (the name and address of the depositor, and the statement) is not included in a reference to deposited biological material in the international application as filed, it may still be furnished to the International Bureau within a period of 16 months after the date of filing of the international patent application or, if priority is claimed, after the priority date; this time limit is deemed to have been met if the indication reaches the International Bureau before the technical preparations for international publication have been completed (PCT Rule 13bis.4(a)). Where the applicant makes a request for early publication under PCT Article 21(2)(b), the indications must be furnished to the International Bureau at the latest before the completion of the technical preparations

for international publication (PCT Rule 13bis.4(c)). The failure to meet this time limit cannot be remedied upon entry into the European phase neither by re-establishment of rights nor by further processing. As a result, the application may have to be refused under EPC Article 97(2) in the course of examination proceedings for insufficient disclosure (EPC Article 83).

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

OFFICIAL NOTICES (PCT GAZETTE)

18 November 2010

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FEES PAYABLE UNDER THE PCT

PCT Fees – Establishment of New Equivalent Amounts of Fees

Following the consultations undertaken by the Director General at the time of the forty-first (24th ordinary) session of the Assembly of the International Patent Cooperation Union (PCT Union) held in Geneva from 20 to 29 September 2010, and pursuant to PCT Rules 15.2(d) and 57.2(d), 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 4 of the PCT Schedule of Fees, have been established, with effect from 1 January 2011, in various currencies, as indicated in the table published on pages 190 and 191.

Pursuant to PCT Rule 16.1(d), new equivalent amounts of the search fees have been established in receiving Offices' currencies for all International Searching Authorities, with effect from 1 January 2011, as indicated in the table published on pages 192 and 193.

Furthermore, pursuant to PCT Rule 45bis.3(b), new equivalent amounts of the supplementary search fees have been established in Swiss francs for all Authorities specified for supplementary search, with effect from 1 January 2011, as indicated in the table published on page 194.

In the three tables, the new amounts are distinguished from currently applicable amounts by indicating them in bold print.

[Updating of Annexes C, D, SISA and E of the *PCT Applicant's Guide*]

IB International Bureau

For the purposes of the **International Bureau** as receiving Office, new equivalent amounts of fees in **euro (EUR)** and **US dollars (USD)** have been established. These amounts, applicable from 1 January 2011, are as follows:

Transmittal fee (PCT Rule 14):	EUR 75	USD 103
Fee for priority document (PCT Rules 17.1(b) and 21.2):	EUR 38	USD 51
	Supplement for airmail:	
	EUR 8	USD [No change]

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

SE Sweden

The **Swedish Patent and Registration Office** has notified the International Bureau of new amounts of the search fee (PCT Rule 16.1(a)) and of the additional search fee (PCT Rule 40.2(a)) in **Swedish kronor (SEK)**, and of new equivalent amounts of the search fee in **Swiss francs (CHF)**, **Danish kroner (DKK)**, **Icelandic kronur (ISK)**, **Norwegian kroner (NOK)** and **US dollars (USD)**, applicable from 1 January 2011 and payable for an international search carried out by the Office, as follows:

Search fee:	SEK 16,530
	CHF 2,376
	DKK 13,310
	ISK 275,000
	NOK 14,350
	USD 2,443

Additional search fee: SEK 16,530

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

In addition, the Office has notified the International Bureau of a new equivalent amount of the supplementary search fee (PCT Rule 45bis.3(b)), in **Swiss francs (CHF)**, payable for an supplementary international search carried out by the Office. This amount, applicable from 1 January 2011, is CHF 2,376.

[Updating of Annex SISA(SE) 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, 2011)

Country/ Regional Office	Exchange rate in Swiss franc on 04.10.10	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 3
				Item 4(a) and (b)	Item 4(c)	Item 4(d)	
Currency Reference currency Swiss franc		1'330	15	100	200	300	200 Current amount
AT - Austria Euro	1.3312	950 999	11 11	71 75	n.a. n.a.	n.a. n.a.	132 150 Current amount New amount
AU - Australia Australian dollar	0.9406	1'370 1'414	15 16	103 106	206 213	309 319	224 213 Current amount New amount
BE - Belgium Euro	1.3312	950 999	11 11	71 75	n.a. n.a.	n.a. n.a.	132 150 Current amount New amount
BR - Brazil Brazilian real	0.5746	* *	* *	* *	* *	* *	353 348 Current amount New amount
CA - Canada Canadian dollar	0.9511	1'278 1'398	14 16	96 105	192 210	288 315	185 210 Current amount New amount
CY - Cyprus Euro	1.3312	950 999	11 11	n.a. n.a.	n.a. n.a.	n.a. n.a.	132 150 Current amount New amount
DE - Germany Euro	1.3312	950 999	11 11	71 75	143 150	214 225	132 150 Current amount New amount
DK - Denmark Danish krone	0.1786	7'060 7'450	80 80	530 560	1'060 1'120	1'590 1'680	980 1'120 Current amount New amount
EP - European Patent Office Euro	1.3312	950 999	11 11	n.a. n.a.	143 150	214 225	132 150 Current amount New amount
ES - Spain Euro	1.3312	950 999	11 11	71 75	143 150	214 225	132 150 Current amount New amount
FI - Finland Euro	1.3312	950 999	11 11	n.a. n.a.	143 150	214 225	132 150 Current amount New amount
FR - France Euro	1.3312	950 999	11 11	71 75	143 150	214 225	132 150 Current amount New amount
GB - United Kingdom Pound sterling	1.5399	794 864	9 10	n.a. n.a.	119 130	179 195	n.a. n.a. Current amount New amount
GR - Greece Euro	1.3312	950 999	11 11	71 75	n.a. n.a.	n.a. n.a.	132 150 Current amount New amount
IB - International Bureau Swiss franc Euro US dollar		*** *** ***	*** *** ***	*** *** ***	*** *** ***	*** *** 259 308	*** *** *** Current amount New amount

* Those amounts correspond to the exchange value, applicable on the date of payment, in Brazilian real of the amounts in Swiss franc indicated above.

** The corresponding equivalent amounts are indicated above for the Swiss franc and the Euro and below for the US dollar.

Table 1 - PCT Fees: New equivalent amounts for international filing fee and handling fee (in prescribed currencies)
 (applicable from January 1, 2011)

Country/ Regional Office	Exchange rate in Swiss franc on 04.10.10	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 3	
				Item 4(a) and (b)	Item 4(c)	Item 4(d)		
Currency								
Reference currency Swiss franc		1'330	15	100	200	300	200	Current amount
IE - Ireland Euro	1.3312	950 999	11 11	71 75	n.a. n.a.	n.a. n.a.	132 150	Current amount New amount
IS - Iceland Icelandic krona	0.0086	151'800 153'800	1'700 1'700	11'400 11'600	22'800 23'100	34'200 34'700	n.a. n.a.	Current amount New amount
IT - Italy Euro	1.3312	950 999	11 11	n.a. n.a.	n.a. n.a.	n.a. n.a.	132 150	Current amount New amount
JP - Japan Japanese yen	0.0117	104'900 114'000	1'200 1'300	7'900 8'600	n.a. n.a.	23'700 25'700	17'800 17'100	Current amount New amount
KR - Republic of Korea Korean won	0.0009	1'453'000 1'535'000	16'000 17'000	109'000 115'000	n.a. n.a.	328'000 346'000	206'000 231'000	Current amount New amount
LU - Luxembourg Euro	1.3312	950 999	11 11	n.a. n.a.	n.a. n.a.	n.a. n.a.	132 150	Current amount New amount
MW - Malawi Malawian kwacha	0.0063	181'900 210'800	2'100 2'400	13'700 15'800	n.a. n.a.	n.a. n.a.	n.a. n.a.	Current amount New amount
NL - Netherlands Euro	1.3312	950 999	11 11	71 75	143 150	214 225	132 150	Current amount New amount
NO - Norway Norwegian krone	0.1656	7'580 8'030	90 90	570 600	n.a. n.a.	n.a. n.a.	n.a. n.a.	Current amount New amount
NZ - New Zealand New Zealand dollar	0.7211	1'802 1'844	20 21	135 139	n.a. n.a.	n.a. n.a.	n.a. n.a.	Current amount New amount
PT - Portugal Euro	1.3312	950 999	11 11	71 75	n.a. n.a.	n.a. n.a.	132 150	Current amount New amount
SE - Sweden Swedish krona	0.1438	8'840 9'250	100 100	660 700	1'330 1'390	1'990 2'090	1'330 1'390	Current amount New amount
SG - Singapore Singapore dollar	0.7401	1'737 1'797	20 20	131 135	n.a. n.a.	n.a. n.a.	n.a. n.a.	Current amount New amount
US - United States of America US dollar	0.9728	1'277 1'367	14 15	96 103	192 206	n.a. n.a.	192 206	Current amount New amount
ZA - South Africa South African rand	0.1390	8'990 9'570	100 110	680 720	n.a. n.a.	n.a. n.a.	n.a. n.a.	Current amount New amount

Table 2 - PCT Fees: New equivalent amounts for search fees (in receiving Offices' currencies)
(applicable as from January 1, 2011)

International Searching Authority	ISA/AT		ISA/AU		ISA/BR		ISA/CA		ISA/CN		ISA/EP		ISA/ES		ISA/FI		
	EUR	Exch. rate	AUD	Exch. rate	BRL	Exch. rate	CAD	Exch. rate	CNY	Exch. rate	EUR	Exch. rate	EUR	Exch. rate	EUR	Exch. rate	
Reference currency & Amount	1'700		1'900		1'900		1'600		2'100		1'785		1'785		1'785		
<i>Exchange rates applicable on 04.10.10</i>																	
CHF - Swiss franc	2'381 ¹ 2'263¹		1'730 ¹ 1'787¹	0.9406	1'192 ¹ 1'092¹	0.5746	1'666 ¹ 1'522¹	0.9511	351 ¹ 305¹		2'375 ¹ 2'376¹	1.3312	2'375 ¹ 2'376¹	1.3312	2'375 ¹ 2'376¹	1.3312	2'375 ¹ 2'376¹
USD - US dollar	2'094 ¹ 2'326¹		1'605 ¹ 1'837¹	1.0342	1'052 ¹ 1'122¹	1.6930	1'498 ¹ 1'564¹	1.0228	307 ¹ 314¹		2'185 ¹ 2'443¹	0.7308	2'185 ¹ 2'443¹	0.7308	2'185 ¹ 2'443¹	0.7308	2'185 ¹ 2'443¹
EUR - Euro			1'311 ¹ 1'343¹	1.4152	869 ¹ 820¹	2.3166	1'210 ¹ 1'143¹	1.3996	249 ¹ 229¹								
AUD - Australian dollar																	
DKK - Danish krone																	
GBP - Pound sterling																	
ISK - Icelandic krona																	
JPY - Japanese yen																	
KRW - Korean won	2'601'000 2'613'000	0.0007	1'970'000 2'063'000	0.0009													
MWK - Malawian kwacha																	
NOK - Norwegian krone																	
NZD - New Zealand dollar			2'334 2'478	0.7666													
SEK - Swedish krona																	
SGD - Singapore dollar	3'160 3'060	0.5559	2'240 2'410	0.7868													
ZAR - South African rand	15'730 16'280	0.1044	12'300 12'860	0.1478													

¹ Equivalent amounts established for the purposes of fees payable to the International Bureau acting as receiving Office.

Table 2 - PCT Fees: New equivalent amounts for search fees (in receiving Offices' currencies)
(applicable as from January 1, 2011)

International Searching Authority	ISA/JP		ISA/KR		ISA/RU		ISA/SE ²		ISA/US		ISA/XN ³	
	JPY	Exch. rate	KRW	Exch. rate	RUB	Exch. rate	SEK	SEK	USD	Exch. rate	DKK	DKK
Reference currency & Amount	97'000		1'300'000	450'000	13'500		16'830	16'830	2'080		13'290	13'310
<i>Exchange rates applicable on 04.10.10</i>												
CHF - Swiss franc	1'230 ⁴		1262 ⁴	437 ⁴	459 ⁴		2'375 ⁴	2'375 ⁴	2'166 ⁴		2'375 ⁴	2'376 ⁴
	0.0117		0.0009	390 ⁴	0.0319		2'376 ⁴	2'376 ⁴	0.9728		2'376 ⁴	2'376 ⁴
USD - US dollar	1'065 ⁴		1092 ⁴	373 ⁴	449 ⁴		2'185 ⁴	2'185 ⁴			2'185 ⁴	2'443 ⁴
	83.3895		1'123.1306	401 ⁴	30.4700		2'443 ⁴	2'443 ⁴			2'443 ⁴	2'443 ⁴
EUR - Euro	878 ⁴		834 ⁴	290 ⁴	344 ⁴		1'785 ⁴	1'785 ⁴	1'629 ⁴		1'785 ⁴	1'785 ⁴
	114.1064		1'536.8395	293 ⁴	41.6937		1'785 ⁴	1'785 ⁴	1.3684		1'785 ⁴	1'785 ⁴
AUD - Australian dollar	850 ⁴		1'192	428								
			1'085.9519	414								
DKK - Danish krone							13'290	13'310				
GBP - Pound sterling												
ISK - Icelandic krona							278'000	275'000			278'000	275'000
JPY - Japanese yen												
KRW - Korean won	1'295'000											
	0.0742											
MWK - Malawian kwacha												
NOK - Norwegian krone							14'590	14'350			14'590	14'350
NZD - New Zealand dollar			1464	517					2'880			
			832.4830	541					0.7412			
SEK - Swedish krona												
SGD - Singapore dollar			1530	530								
			854.3860	530								
ZAR - South African rand												
									0.1429		15'350	14'550

2 All amounts appearing in this column, with effect from January 1, 2011, to be fixed by the Swedish Patent Office, are included here for the purposes of completeness only.

3 All amounts appearing in this column, with effect from January 1, 2011, to be fixed by the Nordic Patent Institute, are included here for the purposes of completeness only.

4 Equivalent amounts established for the purposes of fees payable to the International Bureau acting as receiving Office.

Table 3 - PCT Fees: New equivalent amounts for the supplementary search fees
(applicable from January 1, 2011)

International Searching Authority (Supplementary Search)	ISA/AT		ISA/EP		ISA/FI		ISA/RU		ISA/SE		ISA/XN	
	Reference currency & Amount	850 ¹ EUR	1'190 ² EUR	1'785 ³ EUR	1'785 ³ EUR	1'785 ³ EUR	1'785 ³ EUR	Equivalent in CHF of Russian roubles ⁴	9'450 ⁵ SEK	16'830 ⁶ SEK	DKK 13'290	DKK 13'310 ⁷
<i>Exchange rate applicable on 04.10.10</i>	<i>Exch. rate</i>	<i>1.3312</i>	<i>Exch. rate</i>	<i>1.3312</i>	<i>Exch. rate</i>	<i>1.3312</i>	<i>Exch. rate</i>	<i>0.0319</i>				
CHF - Swiss franc	1'132	1'584	2'263	2'376	2'376	2'376	302	431	2'376 ⁸	2'376 ⁹		

1 For a search of the German-language documentation.

2 For a search of the European or North American documentation.

3 For a full search of PCT minimum documentation.

4 This amount refers to the equivalent amount in Swiss francs, at the exchange rate of the Central Bank of the Russian Federation, applicable on the date of payment.

5 This fee applies where a declaration referred to in PCT Article 17(2)(a) has been made by the International Searching Authority because of subject matter referred to in PCT Rule 39.1(iv) (methods of treatment).

6 This new amount of the supplementary search fee has been fixed by the Swedish Patent and Registration Office with effect from January 1, 2011.

7 This new amount of the supplementary search fee has been fixed by the Nordic Patent Institute with effect from January 1, 2011.

8 New equivalent amount in CHF of the supplementary search fee fixed by the Swedish Patent and Registration Office with effect from January 1, 2011.

9 New equivalent amount in CHF of the supplementary search fee fixed by the Nordic Patent Institute with effect from January 1, 2011.

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25 November 2010

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RECEIVING OFFICES

GT Guatemala

The **Registry of Intellectual Property** has specified the National Institute of Industrial Property (Brazil), in addition to the Austrian Patent Office, the European Patent Office (EPO), the Spanish Patent and Trademark Office and the United States Patent and Trademark Office (USPTO), as competent International Searching and International Preliminary Examining Authority since 16 September 2010 for international applications filed by nationals and residents of Guatemala with the Registry of Intellectual Property.

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

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**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 2011. 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))	566.49
Additional fee (Rule 68.3(a))	566.49
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

EE Estonia

The **Estonian Patent Office** has notified a change in the currency of payment of certain fees from **Estonian kroon (EEK)** to **euro (EUR)**, with effect from 1 January 2011. The amounts of these fees, payable to the Office as receiving Office, will be as follows:

Transmittal fee (PCT Rule 14): EUR 115.04

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

Fee for priority document
(PCT Rule 17.1(b)): EUR 15.97

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

Furthermore, the Office has notified a change in the currency of payment of the national fee from **Estonian kroon (EEK)** to **euro (EUR)**, also with effect from 1 January 2011. The amounts of the main components of these fees, payable to the Office as designated (or elected) Office, will be as follows:

For patent:

Basic fee: EUR 223.69

Claim fee for each claim
in excess of 10: EUR 12.78

Additional fee for late furnishing
of translation or copy: EUR 31.95

Annual fees for the first three years: EUR 115.03

For utility model:

Filing fee: EUR 102.25

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

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 2011, are EUR 566.49 for each of the fees.

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

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FEES PAYABLE UNDER THE PCT

SM San Marino

The **Patent and Trademark Office (San Marino)** has notified a new amount of the basic fee component of the national fee, in **euro (EUR)**, payable to it as designated (or elected) Office. This amount, applicable since 30 June 2010, is EUR 170.

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

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

AT Austria

The **Austrian Patent Office** as receiving Office has notified that it accepts, for any international application filed with a PCT-EASY request under Section 102*bis*(a) of the Administrative Instructions under the PCT, the following PCT-EASY physical media in addition to the 3.5 inch diskette: CD, DVD.

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

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FEES PAYABLE UNDER THE PCT

GB United Kingdom

The **United Kingdom Intellectual Property Office (an operating name of the Patent Office)** has notified new amounts of several components of the national fee, in **pounds sterling (GBP)**, payable to it as designated (or elected) Office. These amounts, applicable since 6 April 2010, are as follows:

Search fee:

- where a search has already been made by an International Searching Authority in accordance with the PCT: GBP 120
 - in other cases: GBP 150
- Substantive examination fee: GBP 100

The above fees are reduced by GBP 20 where the request for search or substantive examination is filed in electronic form using a method of electronic communication accepted by the Office.

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

RECEIVING OFFICES DESIGNATED (OR ELECTED) OFFICES

GB United Kingdom

The **United Kingdom Intellectual Property Office (an operating name of the Patent Office)** has notified a change in its requirements as to who can act as agent before it as receiving Office or as designated (or elected) Office. The requirements now read as follows:

Any individual, partnership or body corporate who resides in or has a place of business in the United Kingdom, the Isle of Man or another Member State of the European Economic Area (EEA). A list of registered patent attorneys may be obtained from the following address: The Registrar, c/o The Chartered Institute of Patent Attorneys, 95 Chancery Lane, London WC2A 1DT, United Kingdom.

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

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 2011, the following:

all Saturdays and Sundays and
3 January 2011,
22 and 25 April 2011,
2 and 13 June 2011,
8 September 2011,
7 November 2011,
26, 27 and 30 December 2011.

It is important to note that the days indicated above concern **only the International Bureau** and **not** the national Offices and other intergovernmental organizations.

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FEES PAYABLE UNDER THE PCT

IL Israel

The **Israel Patent Office** has notified new amounts of the transmittal fee (PCT Rule 14) and of the fee for the priority document (PCT Rule 17.1(b)), in **new Israel shekel (ILS)**, payable to it as receiving Office. These amounts, applicable from 1 January 2011, are ILS 546 and ILS 86, respectively.

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

Furthermore, the Office has notified a new amount of the filing fee component of the national fee, in **new Israel shekel (ILS)**, payable to it as designated (or elected) Office. This amount, applicable from 1 January 2011, is ILS 1,046.

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

INTERNATIONAL SEARCHING AUTHORITIES (SUPPLEMENTARY SEARCH)

AT Austria

Information on the requirements of the Austrian Patent Office as International Searching Authority (Supplementary Search) is given in Annex SISA(AT), which is published on the following pages.

SISA International Searching Authorities (Supplementary Search)¹ SISA

AT AUSTRIAN PATENT OFFICE AT

Fees payable to the International Bureau: ²	Currency: Swiss franc (CHF)	
Supplementary search fee (PCT Rule 45bis.3): ³	– for a search of only the German-language documentation:	CHF 1,190 (1,132) ⁴
	– for a search of only the PCT minimum documentation:	CHF 2,381 (2,263) ⁴
	– for a search of only the European and North American documentation:	CHF 1,667 (1,584) ⁴
Supplementary search handling fee (PCT Rule 45bis.2):	CHF	200
Late payment fee (PCT Rule 45bis.4(c)):	CHF	100
Fees payable to the Authority:	Currency: Euro (EUR)	
Fee for copies of documents cited in the supplementary international search report (PCT Rule 44.3):	EUR	0.95 per page
Conditions for refund and amount of refund of the supplementary search fee:	Money paid by mistake, without cause, or in excess, will be refunded. Where the supplementary search request is considered not to have been submitted before the start of the supplementary international search (see PCT Rule 45bis.3(e)): refund of 100%	
Languages accepted for supplementary international search:	English, French, German	
Subject matter that will not be searched:	The subject matter specified in items (i) to (vi) of PCT Rule 39.1 with the exception of all subject matter searched under the national patent grant procedure under the provisions of the Austrian patent law	
Scope of documentation included in the supplementary international search:	Three scopes of documentation are offered, at the choice of the applicant (see “Fees payable to the International Bureau”)	
Limitations on supplementary international search:	The Authority shall notify the International Bureau if demand for supplementary international search exceeds available resources.	
Does the Authority require that nucleotide and/or amino acid sequence listings be furnished in electronic form (PCT Rules 13ter.1 and 45bis.5(c))?	Yes	
Which types of electronic medium does the Authority require?	Diskette, CD-ROM, DVD	

[Continued on next page]

¹ Supplementary international search is available only for international applications for which the 19-month time limit expires on or after 1 August 2010.

² For further details on the payment of fees to the International Bureau, see the WIPO web site at www.wipo.int/pct/en/fees/special.html.

³ This fee is fixed by the Authority in euro and will be revised from time to time to reflect currency fluctuations between the euro and the Swiss franc.

⁴ The amount in parentheses is applicable as from 1 January 2011.

SISA **International Searching Authorities** **SISA**
(Supplementary Search)⁵
AT **AUSTRIAN PATENT OFFICE** **AT**

[Continued]

Waiver of power of attorney:

Has the Authority waived the requirement that a separate power of attorney be submitted?	Yes ⁶
Particular instances in which a separate power of attorney is required:	None
Has the Authority waived the requirement that a copy of a general power of attorney be submitted?	Yes ⁶
Particular instances in which a copy of a general power of attorney is required:	None

⁵ See footnote 1.

⁶ Waivers of powers of attorney do not apply (PCT Rule 90.4(e) and 90.5(d)) where the agent or common representative submits any notice of withdrawal during the international phase (PCT Rule 90*bis*.1 to 90*bis*.4; see also International Phase, paragraph 11.048).