

C. PCT 1443

February 6, 2015

Madam,
Sir,

This Circular is addressed to your Office in its capacity as a receiving Office (RO), an International Searching Authority (ISA) (in particular in its function as Authority specified for Supplementary Search (SISA)) and an International Preliminary Examining Authority (IPEA) and/or a designated or elected Office (DO/EO) under the Patent Cooperation Treaty (PCT) for the purpose of consultation under PCT Rule 89.2(b). It is also addressed to certain non-governmental organizations representing users of the PCT System.

The main purpose of this Circular is to consult on the implementation of amendments to the Regulations under the PCT, adopted by the PCT Assembly at its forty-sixth session (see document PCT/A/46/6, dated 15 January 2015), and to implement the decommissioning of PCT-EASY, which has effect from July 1, 2015. It is also aimed at addressing one additional matter following recommendations of the seventh session of the PCT Working Group.

The amendments to the Regulations include the revision of the eligibility criteria for fee reductions for certain applicants from developing and least developed countries, and the amendments to paragraph (c) of Rule 90.3 and paragraph (d) of Rule 90.5.

Proposed modifications of certain Forms annexed to the Administrative Instructions under the PCT

Forms PCT/RO/102, PCT/RO/133 and the Notes to the Fee Calculation sheet (Annex to Form PCT/RO/101) are proposed to be modified to take into account the decommissioning of PCT-EASY.

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The Notes to the Fee Calculation sheets ((Annex to Form PCT/RO/101), (Annex to Form PCT/IB/375) and (Annex to Form PCT/IPEA/401)) are modified to adapt the wording in relation to the eligibility criteria for fee reductions for certain applicants from developing and least developed countries, more specifically, the eligibility for a reduction of the international filing fee, the supplemental search handling fee, and the handling fee. They also indicate additional fee reductions which applicants may be entitled to. PCT/RO/101 is modified to clarify the use of item 8 in the check list under Box No. IX.

The Notes to forms PCT/RO/101, PCT/IB/375 and PCT/IPEA/401 are also modified to delete the reference to paragraph (a) of Rule 90*bis*.5 consequential to the amendment of this Rule as adopted by the Assembly in 2012.

To assist your Office in identifying the proposed modifications, the International Bureau has prepared a set of marked-up versions to accompany this Circular. The mark-ups indicate deleted and new text on separate pages. Thus, on the first marked-up page, the deleted text appears in red with the text struck out. This is followed by the second marked-up page of the same form where new text is underlined in blue. Each page indicates clearly whether it concerns deleted or new text.

./ The proposed modifications to the forms are set out in Annex I to this Circular.

Proposed modifications to the PCT Administrative Instructions

./ The proposed modifications to implement the decommissioning of PCT-EASY are set out in Annex II to this Circular.

Proposed modifications to the PCT Receiving Office Guidelines

The proposed modifications of the PCT Receiving Office Guidelines take into account the decommissioning of PCT-EASY, as well as the changes relating to the eligibility criteria for fee reductions for certain applicants from developing and least developed countries.

For the sake of clarity and completeness, the modifications in relation to procedures for inviting the applicant to select a competent International Searching Authority as agreed in the seventh session of the PCT Working Group (see document PCT/WG/7/30, paragraph 360) are also reproduced herein, with minor editorial changes (paragraphs 115 and 115A).

./ The proposed modifications are set out in Annex III to this Circular.

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Comments on the proposed modifications of certain Forms, the PCT Administrative Instructions and the PCT Receiving Office Guidelines

Your Office is invited to provide comments, if any, to the International Bureau by March 9, 2015 by e-mail to: pct.legal@wipo.int.

Yours sincerely,

A handwritten signature in black ink, appearing to read "John Sandage".

John Sandage
Deputy Director General

Enclosure: Annex I—Proposed modified Forms: PCT/RO/101, PCT/RO/102, PCT/RO/133, PCT/IB/375 and PCT/IPEA/401 (modified pages only);

Annex II—Proposed modified Administrative Instructions under the PCT (modified provisions only);

Annex III—Proposed modified paragraphs of the PCT Receiving Office Guidelines (modified paragraphs only)

PCT**REQUEST**

The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty.

For receiving Office use only

International Application No.

International Filing Date

Name of receiving Office and "PCT International Application"

Applicant's or agent's file reference
(if desired) (12 characters maximum)

Box No. I	TITLE OF INVENTION	
Box No. II	APPLICANT	<input type="checkbox"/> This person is also inventor
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)		Telephone No.
		Facsimile No.
		Applicant's registration No. with the Office
E-mail authorization: Marking one of the check-boxes below authorizes the receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority to use the e-mail address indicated in this Box to send, notifications issued in respect of this international application to that e-mail address if those offices are willing to do so. <input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent). E-mail address:		
State (that is, country) of nationality:		State (that is, country) of residence:
This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> the States indicated in the Supplemental Box		
Box No. III	FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)	
<input type="checkbox"/> Further applicants and/or (further) inventors are indicated on a continuation sheet.		
Box No. IV	AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE	
The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:		<input type="checkbox"/> agent <input type="checkbox"/> common representative
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)		Telephone No.
		Facsimile No.
		Agent's registration No. with the Office
E-mail authorization: Marking one of the check-boxes below authorizes the receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority to use the e-mail address indicated in this Box to send, notifications issued in respect of this international application to that e-mail address if those offices are willing to do so. <input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent). E-mail address:		
<input type="checkbox"/> Address for correspondence: Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.		

PCT

REQUEST

The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty.

For receiving Office use only	
International Application No.	
International Filing Date	
Name of receiving Office and "PCT International Application"	
Applicant's or agent's file reference (if desired) (12 characters maximum)	

Box No. I	TITLE OF INVENTION	
Box No. II	APPLICANT	<input type="checkbox"/> This person is also inventor
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)		Telephone No.
		Facsimile No.
		Applicant's registration No. with the Office
E-mail authorization: Marking one of the check-boxes below authorizes the receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority to use the e-mail address indicated in this Box to send, notifications issued in respect of this international application to that e-mail address if those offices are willing to do so. <input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent). E-mail address:		
State (that is, country) of nationality:		State (that is, country) of residence:
This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> the States indicated in the Supplemental Box		
Box No. III	FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)	
<input type="checkbox"/> Further applicants and/or (further) inventors are indicated on a continuation sheet.		
Box No. IV	AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE	
The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:		<input type="checkbox"/> agent <input type="checkbox"/> common representative
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)		Telephone No.
		Facsimile No.
		Agent's registration No. with the Office
E-mail authorization: Marking one of the check-boxes below authorizes the receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority to use the e-mail address indicated in this Box to send, notifications issued in respect of this international application to that e-mail address if those offices are willing to do so. <input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent). E-mail address:		
<input type="checkbox"/> Address for correspondence: Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.		

Box No. IX CHECK LIST for PAPER filings – this sheet is only to be used when filing an international application on PAPER			
This international application contains the following:	Number of sheets	This international application is accompanied by the following item(s) (<i>mark the applicable check-boxes below and indicate in right column the number of each item:</i>	Number of items
(a) request form PCT/RO/101 (including any declarations and supplemental sheets) :		1. <input type="checkbox"/> fee calculation sheet :	
(b) description (excluding any sequence listing part of the description, see (f), below) :		2. <input type="checkbox"/> original separate power of attorney :	
(c) claims :		3. <input type="checkbox"/> original general power of attorney :	
(d) abstract :		4. <input type="checkbox"/> copy of general power of attorney; reference number: :	
(e) drawings (if any) :		5. <input type="checkbox"/> priority document(s) identified in Box No. VI as item(s) :	
(f) sequence listing part of the description (if any) :		6. <input type="checkbox"/> Translation of international application into (<i>language</i>): :	
Total number of sheets :		7. <input type="checkbox"/> separate indications concerning deposited microorganism or other biological material :	
		8. <input type="checkbox"/> copy in electronic form (Annex C/ST.25 text file) on physical data carrier(s) of the sequence listing, not forming part of the international application, which is furnished only for the purposes of international search under Rule 13ter (<i>type and number of physical data carriers</i>) :	
		9. <input type="checkbox"/> a statement confirming that “the information recorded in electronic form submitted under Rule 13ter is identical to the sequence listing as contained in the international application” as filed on paper. :	
		10. <input type="checkbox"/> copy of results of earlier search(es) (Rule 12bis.1(a)) :	
		11. <input type="checkbox"/> other (<i>specify</i>): :	
Figure of the drawings which should accompany the abstract:		Language of filing of the international application:	
Box No. X SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE			
<i>Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading the request).</i>			

For receiving Office use only	
1. Date of actual receipt of the purported international application:	2. Drawings: <input type="checkbox"/> received: <input type="checkbox"/> not received:
3. Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application:	
4. Date of timely receipt of the required corrections under PCT Article 11(2):	
5. International Searching Authority (if two or more are competent): ISA /	6. <input type="checkbox"/> Transmittal of search copy delayed until search fee is paid

For International Bureau use only
Date of receipt of the record copy by the International Bureau:

Box No. IX CHECK LIST for PAPER filings – this sheet is only to be used when filing an international application on PAPER			
This international application contains the following:	Number of sheets	This international application is accompanied by the following item(s) (<i>mark the applicable check-boxes below and indicate in right column the number of each item</i>):	Number of items
(a) request form PCT/RO/101 (including any declarations and supplemental sheets) :		1. <input type="checkbox"/> fee calculation sheet :	
(b) description (excluding any sequence listing part of the description, see (f), below) :		2. <input type="checkbox"/> original separate power of attorney :	
(c) claims :		3. <input type="checkbox"/> original general power of attorney :	
(d) abstract :		4. <input type="checkbox"/> copy of general power of attorney; reference number: :	
(e) drawings (if any) :		5. <input type="checkbox"/> priority document(s) identified in Box No. VI as item(s) :	
(f) sequence listing part of the description (if any) :		6. <input type="checkbox"/> Translation of international application into (<i>language</i>): :	
Total number of sheets :		7. <input type="checkbox"/> separate indications concerning deposited microorganism or other biological material :	
		8. <input type="checkbox"/> (<i>only where item (f) is marked in the left column</i>) copy in electronic form (Annex C/ST.25 text file) on physical data carrier(s) of the sequence listing, not forming part of the international application, which is furnished only for the purposes of international search under Rule 13ter (<i>type and number of physical data carriers</i>) :	
		9. <input type="checkbox"/> (<i>only where item (f) is marked in the left column</i>) a statement confirming that “the information recorded in electronic form submitted under Rule 13ter is identical to the sequence listing as contained in the international application” as filed on paper. :	
		10. <input type="checkbox"/> copy of results of earlier search(es) (Rule 12bis.1(a)) :	
		11. <input type="checkbox"/> other (<i>specify</i>): :	
Figure of the drawings which should accompany the abstract:		Language of filing of the international application:	
Box No. X SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE			
<i>Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading the request).</i>			

For receiving Office use only	
1. Date of actual receipt of the purported international application:	2. Drawings: <input type="checkbox"/> received: <input type="checkbox"/> not received:
3. Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application:	
4. Date of timely receipt of the required corrections under PCT Article 11(2):	
5. International Searching Authority (if two or more are competent): ISA /	6. <input type="checkbox"/> Transmittal of search copy delayed until search fee is paid

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NOTES TO THE REQUEST FORM (PCT/RO/101)

These Notes are intended to facilitate the filling in of the request form. For more detailed information, see the *PCT Applicant's Guide*, a WIPO publication, which is available, together with other PCT related documents, at WIPO's website: www.wipo.int/pct/en/. The Notes are based on the requirements of the Patent Cooperation Treaty (PCT), the Regulations and the Administrative Instructions under the PCT. In case of any discrepancy between these Notes and those requirements, the latter are applicable.

In the request form and these Notes, "Article", "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

The request form should be typed or printed; check-boxes may be marked by hand with black ink (Rule 11.9(a) and (b)).

The request form and these Notes may be downloaded from WIPO's website at the address given above.

WHERE TO FILE THE INTERNATIONAL APPLICATION

The international application (request, description, claims, abstract and drawings, if any) must be filed with a competent receiving Office (Article 11(1)(i)) – that is, subject to any applicable prescriptions concerning national security, at the choice of the applicant, either:

(i) the receiving Office of, or acting for, a PCT Contracting State of which the applicant or, if there are two or more applicants, at least one of them, is a resident or national (Rule 19.1(a)(i) or (ii) or (b)), or

(ii) the International Bureau of WIPO in Geneva, Switzerland, if the applicant or, if there are two or more applicants, at least one of the applicants is a resident or national of any PCT Contracting State (Rule 19.1(a)(iii)).

CONFIRMATION COPY OF THE REQUEST FORM

Where the international application was initially filed by facsimile with a receiving Office that accepts such filings (see the *PCT Applicant's Guide*, Annex C) this should be indicated on the first sheet of the form by the annotation "CONFIRMATION COPY" followed by the date of the facsimile transmission.

APPLICANT'S OR AGENT'S FILE REFERENCE

A **File Reference** may be indicated, if desired. It should not exceed 12 characters. Characters in excess of 12 may be disregarded by the receiving Office or any International Authority (Rule 11.6(f) and Section 109).

BOX No. I

Title of Invention (Rules 4.3 and 5.1(a)): The title must be short (preferably two to seven words when in English or translated into English) and precise. It must be identical with the title heading the description.

BOXES Nos. II AND III

General: At least one of the applicants named must be a resident or national of a PCT Contracting State for which the receiving Office acts (Articles 9 and 11(1)(i) and Rules 18 and 19). If the international application is filed with the International Bureau under Rule 19.1(a)(iii), at least one of the applicants must be a resident or national of any PCT Contracting State.

Indication Whether a Person is Applicant and/or Inventor (Rules 4.5(a) and 4.6(a) and (b)):

Check-box "This person is also inventor" (Box No. II): Mark this check-box if the applicant named is also the inventor or one of the inventors; do not mark this check-box if the applicant is a legal entity.

Check-box "applicant and inventor" (Box No. III): Mark this check-box if the person named is both applicant and inventor; do not mark this check-box if the person is a legal entity.

Check-box "applicant only" (Box No. III): Mark this check-box if the person named is a legal entity or if the person named is not also inventor.

Check-box "inventor only" (Box No. III): Mark this check-box if the person named is inventor but not also applicant. This would be the case, for example, where the inventor is deceased or has assigned the invention and the assignee is the applicant for all designated States. Do not mark this check-box if the person is a legal entity.

In Box No. III, one of the three check-boxes must always be marked for each person named.

A person must not be named more than once in Boxes Nos. II and III, even where that person is both applicant and inventor.

Different Applicants for Different Designated States (Rules 4.5(d), 18.3 and 19.2): It is possible to indicate different applicants for the purposes of different designated States. At least one of all the applicants named must be a national or resident of a PCT Contracting State for which the receiving Office acts, irrespective of the designated State(s) for the purposes of which that applicant is named.

For the indication of the designated States for which a person is applicant, mark the applicable check-box (only one for each person). If the person is not an applicant for all designated States, the check-box "the States indicated in the Supplemental Box" must be marked, and the name of the person must be repeated in the Supplemental Box with an indication of the States for which that person is applicant (see item 1(ii) in that Box).

Naming of Inventor (Rule 4.1(a)(iv) and (c)(i)): It is strongly recommended to always name the inventor since such information is generally required in the national phase. For details, see the *PCT Applicant's Guide*, Annex B.

Different Inventors for Different Designated States (Rule 4.6(c)): Different persons may be indicated as inventors for different designated States (for example, where, in this respect, the requirements of the national laws of the designated States are not the same); in such a case, the Supplemental Box must be used (see item 1(iii) in that Box). In the absence of any indication, it will be assumed that the inventor(s) named is (are) inventor(s) for all designated States.

Names and Addresses (Rule 4.4): The family name (preferably in capital letters) must be indicated before the given name(s). Titles and academic degrees must be omitted. Names of legal entities must be indicated by their full official designations.

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(i) the receiving Office of, or acting for, a PCT Contracting State of which the applicant or, if there are two or more applicants, at least one of them, is a resident or national (Rule 19.1(a)(i) or (ii) or (b)), or

(ii) the International Bureau of WIPO in Geneva, Switzerland, if the applicant or, if there are two or more applicants, at least one of the applicants is a resident or national of any PCT Contracting State (Rule 19.1(a)(iii)).

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Indication Whether a Person is Applicant and/or Inventor (Rules 4.5(a) and 4.6(a) and (b)):

Check-box "This person is also inventor" (Box No. II): Mark this check-box if the applicant named is also the inventor or one of the inventors; do not mark this check-box if the applicant is a legal entity.

Check-box "applicant and inventor" (Box No. III): Mark this check-box if the person named is both applicant and inventor; do not mark this check-box if the person is a legal entity.

Check-box "applicant only" (Box No. III): Mark this check-box if the person named is a legal entity or if the person named is not also inventor.

Check-box "inventor only" (Box No. III): Mark this check-box if the person named is inventor but not also applicant. This would be the case, for example, where the inventor is deceased or has assigned the invention and the assignee is the applicant for all designated States. Do not mark this check-box if the person is a legal entity.

In Box No. III, one of the three check-boxes must always be marked for each person named.

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For the indication of the designated States for which a person is applicant, mark the applicable check-box (only one for each person). If the person is not an applicant for all designated States, the check-box "the States indicated in the Supplemental Box" must be marked, and the name of the person must be repeated in the Supplemental Box with an indication of the States for which that person is applicant (see item 1(ii) in that Box).

Naming of Inventor (Rule 4.1(a)(iv) and (c)(i)): It is strongly recommended to always name the inventor since such information is generally required in the national phase. For details, see the *PCT Applicant's Guide*, Annex B.

Different Inventors for Different Designated States (Rule 4.6(c)): Different persons may be indicated as inventors for different designated States (for example, where, in this respect, the requirements of the national laws of the designated States are not the same); in such a case, the Supplemental Box must be used (see item 1(iii) in that Box). In the absence of any indication, it will be assumed that the inventor(s) named is (are) inventor(s) for all designated States.

Names and Addresses (Rule 4.4): The family name (preferably in capital letters) must be indicated before the given name(s). Titles and academic degrees must be omitted. Names of legal entities must be indicated by their full official designations.

The address must be indicated in such a way that it allows prompt postal delivery; it must consist of all the relevant administrative units (up to and including the indication of the house number, if any), the postal code (if any), and the name of the country.

Only one address may be indicated per person. For the indication of a special "address for correspondence", see the notes to Box No. IV.

Telephone, Facsimile Numbers and/or E-mail Addresses should be indicated for the persons named in Boxes Nos. II and IV in order to allow rapid communication with them (see Rule 4.4(c)). Any telephone or facsimile number should include the applicable country and area codes. A single e-mail address only should be indicated.

Unless one of the applicable check-boxes is marked, any e-mail address supplied will be used only for the types of communication which might be made by telephone. If one of the applicable check-boxes is marked, the receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority may send notifications in respect of the international application to the applicant, avoiding processing or postal delays. Note that not all Offices will send such notifications by e-mail, (for details about each Office's procedure see the *PCT Applicant's Guide*, Annex B). If the first check-box is marked, any such e-mail notification will always be followed by the official notification on paper. Only that paper copy of the notification is considered the legal copy of the notification and only the date of mailing of that paper copy will commence any time limit within the meaning of Rule 80. If the second check-box is marked, the applicant requests the discontinuation of the sending of paper copies of notifications and acknowledges that the date of mailing indicated on the electronic copy will commence any time limit within the meaning of Rule 80.

Note that it is the applicant's responsibility to keep any e-mail address details up-to-date and to ensure that incoming e-mails are not blocked for any reason on the recipient's side. Changes to the e-mail address indicated in the request should be requested to be recorded, preferably directly at the International Bureau, under Rule 92bis. Where the e-mail authorization is given both in respect of the applicant and in respect of an agent or common representative, the International Bureau will send e-mail communications only to the appointed agent or common representative.

Applicant's Registration Number with the Office (Rule 4.5(e)): Where the applicant is registered with the national or regional Office acting as receiving Office, the request may indicate the number or other indication under which the applicant is so registered.

Nationality (Rules 4.5(a) and (b) and 18.1): For each applicant, the nationality must be indicated by the name or two-letter code of the State (that is, country) of which the person is a national. A legal entity constituted according to the national law of a State is considered a national of that State. The indication of the nationality is not required where a person is inventor only.

Residence (Rules 4.5(a) and (c) and 18.1): For each applicant, the residence must be indicated by the name or two-letter code of the State (that is, country) of which the person is a resident. If the State of residence is not indicated, it will be assumed to be the same as the State indicated in the address. Possession of a real and effective industrial or commercial establishment in a State is considered residence in that State. The indication of the residence is not required where a person is inventor only.

Names of States (Section 115): For the indication of names of States, the two-letter codes appearing in WIPO Standard ST.3 and in the *PCT Applicant's Guide*, Annex K, may be used.

BOX No. IV

Who Can Act as Agent? (Article 49 and Rule 83.1bis): For each of the receiving Offices, information as to who can act as agent is given in the *PCT Applicant's Guide*, Annex C.

Agent or Common Representative (Rules 4.7, 4.8, 90.1 and 90.2 and Section 108): Mark the applicable check-box in order to indicate whether the person named is (or has been) appointed as "agent" or "common representative" (the "common representative" must be one of the applicants). For the manner in which name(s), address(es) (including names of States), telephone, facsimile numbers and/or e-mail addresses must be indicated, see the notes to Boxes Nos. II and III. Where several agents are listed, the agent to whom correspondence should be addressed is to be listed first. If there are two or more applicants but no common agent is appointed to represent all of them, one of the applicants who is a national or resident of a PCT Contracting State may be appointed by the other applicants as their common representative. If this is not done, the applicant first named in the request who is entitled to file an international application with the receiving Office concerned will be considered to be the common representative.

Manner of Appointment of Agent or Common Representative (Rules 90.4 and 90.5 and Section 106): The appointment of an agent or a common representative may be effected by designating the agent or common representative in Box No. IV and by the applicant signing the request or a separate power of attorney. Where there are two or more applicants, the appointment of a common agent or common representative must be effected by each applicant signing, at his choice, the request or a separate power of attorney. If the separate power of attorney is not signed, or if the required separate power of attorney is missing, or if the indication of the name or address of the appointed person does not comply with Rule 4.4, the power of attorney will be considered non-existent unless the defect is corrected. However, the receiving Office may waive the requirement that a separate power of attorney be submitted to it (for details about each receiving Office, see the *PCT Applicant's Guide*, Annex C).

Where a general power of attorney has been filed and is referred to in the request, a copy thereof must be attached to the request. Any applicant who did not sign the general power of attorney must sign either the request or a separate power of attorney, unless the receiving Office has waived the requirement that a separate power of attorney be submitted to it (for details, see the *PCT Applicant's Guide*, Annex C).

Agent's Registration Number with the Office (Rule 4.7(b)): Where the agent is registered with the national or regional Office that is acting as receiving Office, the request may indicate the number or other indication under which the agent is so registered.

Address for Correspondence (Rule 4.4(d) and Section 108): Where an agent is appointed, any correspondence intended for the applicant will be sent to the address indicated for that agent (or for the first-mentioned agent, if more than one is appointed). Where one of two or more applicants is appointed as common representative, the address indicated for that applicant in Box No. IV will be used.

Where no agent or common representative is appointed, any correspondence will be sent to the address, indicated in Box No. II or III, of the applicant (if only one person is named as applicant) or of the applicant who is considered to be common representative (if there are two or more persons named as applicants). However, if the applicant wishes correspondence to be sent to a different address in such a case, that address must be indicated in Box No. IV instead of the designation of an agent or common representative. In this case, and only in this case, the last check-box of Box No. IV must be marked (that is, the last check-box must not be marked if either of the check-boxes "agent" or "common representative" has been marked).

The address must be indicated in such a way that it allows prompt postal delivery; it must consist of all the relevant administrative units (up to and including the indication of the house number, if any), the postal code (if any), and the name of the country.

Only one address may be indicated per person. For the indication of a special "address for correspondence", see the notes to Box No. IV.

Telephone, Facsimile Numbers and/or E-mail Addresses should be indicated for the persons named in Boxes Nos. II and IV in order to allow rapid communication with them (see Rule 4.4(c)). Any telephone or facsimile number should include the applicable country and area codes. A single e-mail address only should be indicated.

Unless one of the applicable check-boxes is marked, any e-mail address supplied will be used only for the types of communication which might be made by telephone. If one of the applicable check-boxes is marked, the receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority may send notifications in respect of the international application to the applicant, avoiding processing or postal delays. Note that not all Offices will send such notifications by e-mail, (for details about each Office's procedure see the *PCT Applicant's Guide*, Annex B). If the first check-box is marked, any such e-mail notification will always be followed by the official notification on paper. Only that paper copy of the notification is considered the legal copy of the notification and only the date of mailing of that paper copy will commence any time limit within the meaning of Rule 80. If the second check-box is marked, the applicant requests the discontinuation of the sending of paper copies of notifications and acknowledges that the date of mailing indicated on the electronic copy will commence any time limit within the meaning of Rule 80.

Note that it is the applicant's responsibility to keep any e-mail address details up-to-date and to ensure that incoming e-mails are not blocked for any reason on the recipient's side. Changes to the e-mail address indicated in the request should be requested to be recorded, preferably directly at the International Bureau, under Rule 92*bis*. Where the e-mail authorization is given both in respect of the applicant and in respect of an agent or common representative, the International Bureau will send e-mail communications only to the appointed agent or common representative.

Applicant's Registration Number with the Office (Rule 4.5(e)): Where the applicant is registered with the national or regional Office acting as receiving Office, the request may indicate the number or other indication under which the applicant is so registered.

Nationality (Rules 4.5(a) and (b) and 18.1): For each applicant, the nationality must be indicated by the name or two-letter code of the State (that is, country) of which the person is a national. A legal entity constituted according to the national law of a State is considered a national of that State. The indication of the nationality is not required where a person is inventor only.

Residence (Rules 4.5(a) and (c) and 18.1): For each applicant, the residence must be indicated by the name or two-letter code of the State (that is, country) of which the person is a resident. If the State of residence is not indicated, it will be assumed to be the same as the State indicated in the address. Possession of a real and effective industrial or commercial establishment in a State is considered residence in that State. The indication of the residence is not required where a person is inventor only.

Names of States (Section 115): For the indication of names of States, the two-letter codes appearing in WIPO Standard ST.3 and in the *PCT Applicant's Guide*, Annex K, may be used.

BOX No. IV

Who Can Act as Agent? (Article 49 and Rule 83.1*bis*): For each of the receiving Offices, information as to who can act as agent is given in the *PCT Applicant's Guide*, Annex C.

Agent or Common Representative (Rules 4.7, 4.8, 90.1 and 90.2 and Section 108): Mark the applicable check-box in order to indicate whether the person named is (or has been) appointed as "agent" or "common representative" (the "common representative" must be one of the applicants). For the manner in which name(s), address(es) (including names of States), telephone, facsimile numbers and/or e-mail addresses must be indicated, see the notes to Boxes Nos. II and III. Where several agents are listed, the agent to whom correspondence should be addressed is to be listed first. If there are two or more applicants but no common agent is appointed to represent all of them, one of the applicants who is a national or resident of a PCT Contracting State may be appointed by the other applicants as their common representative. If this is not done, the applicant first named in the request who is entitled to file an international application with the receiving Office concerned will be considered to be the common representative.

Manner of Appointment of Agent or Common Representative (Rules 90.4 and 90.5 and Section 106): The appointment of an agent or a common representative may be effected by designating the agent or common representative in Box No. IV and by the applicant signing the request or a separate power of attorney. Where there are two or more applicants, the appointment of a common agent or common representative must be effected by each applicant signing, at his choice, the request or a separate power of attorney. If the separate power of attorney is not signed, or if the required separate power of attorney is missing, or if the indication of the name or address of the appointed person does not comply with Rule 4.4, the power of attorney will be considered non-existent unless the defect is corrected. However, the receiving Office may waive the requirement that a separate power of attorney be submitted to it (for details about each receiving Office, see the *PCT Applicant's Guide*, Annex C).

Where a general power of attorney has been filed and is referred to in the request, a copy thereof must be attached to the request. Any applicant who did not sign the general power of attorney must sign either the request or a separate power of attorney, unless the receiving Office has waived the requirement that a separate power of attorney be submitted to it (for details, see the *PCT Applicant's Guide*, Annex C).

Agent's Registration Number with the Office (Rule 4.7(b)): Where the agent is registered with the national or regional Office that is acting as receiving Office, the request may indicate the number or other indication under which the agent is so registered.

Address for Correspondence (Rule 4.4(d) and Section 108): Where an agent is appointed, any correspondence intended for the applicant will be sent to the address indicated for that agent (or for the first-mentioned agent, if more than one is appointed). Where one of two or more applicants is appointed as common representative, the address indicated for that applicant in Box No. IV will be used.

Where no agent or common representative is appointed, any correspondence will be sent to the address, indicated in Box No. II or III, of the applicant (if only one person is named as applicant) or of the applicant who is considered to be common representative (if there are two or more persons named as applicants). However, if the applicant wishes correspondence to be sent to a different address in such a case, that address must be indicated in Box No. IV instead of the designation of an agent or common representative. In this case, and only in this case, the last check-box of Box No. IV must be marked (that is, the last check-box must not be marked if either of the check-boxes "agent" or "common representative" has been marked).

Telephone, Facsimile Numbers and/or E-mail Addresses
See Notes to Boxes Nos II and III.

BOX No. V

Designations (Regional and national patents) (Rule 4.9): Upon filing of the request, the applicant will obtain an automatic and all-inclusive coverage of all designations available under the PCT on the international filing date, in respect of every kind of protection available and, where applicable, in respect of both regional and national patents. If the applicant wishes the international application to be treated, in a certain designated or elected State, as an application not for a patent but for another kind of protection available under the national law of the designated or elected State concerned, the applicant will have to indicate his choice directly to the designated or elected Office when performing the acts, referred to in Articles 22 or 39(1), for entry into the national phase. For details about various kinds of protection available in designated or elected States, see the *PCT Applicant's Guide*, Annex B.

However, for the reasons explained below, it is possible to indicate, by marking the applicable check-box(es), that DE Germany, JP Japan and/or KR Republic of Korea are not designated for any kind of national protection. Each of those States has notified the International Bureau that Rule 4.9(b) applies to it since its national law provides that the filing of an international application which contains the designation of that State and claims the priority, **at the time of filing** or subsequently under Rule 26bis.1, of an earlier national application (for DE: for the same kind of protection) having effect in that State shall have the result that the earlier national application ceases, where applicable, after the expiration of certain time limits, to have effect with the same consequences as the withdrawal of the earlier national application. The designation of DE Germany for the purposes of an EP European patent is not affected by what is said above. For details see the *PCT Applicant's Guide*, in the relevant Annex B.

Only the three States mentioned above may be excluded from the all-inclusive coverage of all designations in Box No. V. For any other PCT Contracting State which the applicant wishes to exclude from the all-inclusive coverage of all designations, the applicant should submit a separate notice of withdrawal of the designation concerned under Rule 90bis.2. **Important: Should a notice of withdrawal be filed, that notice will have to be signed by the applicant or, if there are two or more applicants, by all of them (Rule 90bis.5(a)), or by an agent or a common representative whose appointment has been effected by each applicant signing, at his choice, the request, the demand or a separate power of attorney (Rule 90.4(a)).**

BOX No. VI

Priority Claim(s) (Rule 4.10): If the priority of an earlier application is claimed, the declaration containing the priority claim must be made in the request.

The request must indicate the *date* on which the earlier application from which priority is claimed was filed and the *number* it was assigned. Note that that date must fall within the period of 12 months preceding the international filing date.

Where the earlier application is a national application, the *country* party to the Paris Convention for the Protection of Industrial Property, or the *Member* of the World Trade Organization that is not a party to that Convention, in which that earlier application was filed must be indicated. Where the earlier application is a regional application, the *regional Office* concerned must be indicated. Where the earlier application is an international application, the *receiving Office* with which that earlier application was filed must be indicated.

Where the earlier application is a regional application (see however below), or an international application, the priority claim may also, if the applicant so wishes, indicate one or more countries party to the Paris Convention for which that earlier

application was filed (Rule 4.10(b)(i)); such an indication is not, however, mandatory. Where the earlier application is a regional application and at least one of the countries party to the regional patent treaty is neither party to the Paris Convention nor a Member of the World Trade Organization, at least one country party to the Paris Convention or one Member of the World Trade Organization for which that earlier application was filed must be indicated (Rule 4.10(b)(ii)) in the Supplemental Box.

As to the possibility of correcting or adding a priority claim, see Rule 26bis.1 and the *PCT Applicant's Guide*, International Phase.

Restoration of the Right of Priority (Rules 4.1(c)(v) and 26bis.3): The procedure for restoration of the right of priority is not applicable to a receiving Office which has provided notice to the International Bureau under Rule 26bis.3(j) of the incompatibility of Rule 26bis.3(a) to (i) with the national law applied by that Office. Where the international application is filed on a date which is later than the date on which the priority period (see Rule 2.4) expired but within the period of two months from that date, the applicant may request the receiving Office to restore the right of priority (Rule 26bis.3). Such a request must be filed with the receiving Office within two months from the date on which the priority period expired; it may be included in the request (Rule 4.1(c)(v)) by identifying the priority claim(s) in Box No. VI. If, in Box No. VI, a priority claim is identified in respect of which a request to restore the right of priority is made, in such case, a separate document should be submitted entitled "Statement for Restoration of the Right of Priority". This separate document should indicate, for each earlier application concerned, the filing date, the earlier application number and the name or two-letter code of the country, Member of WTO, regional Office or receiving Office. Then, for each earlier application concerned, the applicant should state the reasons for the failure to file the international application within the priority period (Rules 26bis.3(a) and 26bis.3(b)(ii)). Note that such a request may be subjected by the receiving Office to the payment to it of a fee, payable within the time limit referred to above (Rule 26bis.3(e)). According to Rule 26bis.3(d), the time limit for payment of the fee may be extended, at the option of the receiving Office, for a period of up to two months from the expiration of the time limit applicable under Rule 26bis.3(e). Note further that the receiving Office may require the furnishing, within a reasonable time limit, of a declaration or other evidence in support of the statement of reasons; preferably, such declaration or other evidence should already be submitted to the receiving Office together with the request for restoration (Rule 26bis.3(b) and (f)). The receiving Office shall restore the right of priority if it finds that a criterion for restoration applied by the Office is satisfied (Rule 26bis.3(a)). For information on which criteria a receiving Office applies see the *PCT Applicant's Guide*, Annex C.

Incorporation by Reference (Rules 4.18 and 20): The procedure for incorporation by reference is not applicable to a receiving Office which has provided notice to the International Bureau under Rule 20.8(a) of the incompatibility of Rules 20.3(a)(ii) and (b)(ii), 20.5(a)(ii) and (d), and 20.6 with the national law applied by that Office. Where the receiving Office finds that any of the requirements of Article 11(1)(iii)(d) and (e) are not or appear not to be fulfilled, it will invite the applicant to either furnish the required correction or confirm that the element concerned referred to in Article 11(1)(iii)(d) or (e) is incorporated by reference under Rule 4.18. Where the applicant furnishes the required correction under Article 11(2), the international filing date will be the date on which the receiving Office receives the required correction (see Rule 20.3(a)(ii) and (b)(i)), provided that all other requirements of Article 11(1) are fulfilled. However, where the applicant confirms the incorporation by reference of an element referred to in Article 11(1)(iii)(d) or (e) which is completely contained in an earlier application the priority of which is claimed in the international application, that element will be considered to have been contained in the purported international application on the date on which one or more elements referred to in

Telephone, Facsimile Numbers and/or E-mail Addresses
See Notes to Boxes Nos II and III.

BOX No. V

Designations (Regional and national patents) (Rule 4.9): Upon filing of the request, the applicant will obtain an automatic and all-inclusive coverage of all designations available under the PCT on the international filing date, in respect of every kind of protection available and, where applicable, in respect of both regional and national patents. If the applicant wishes the international application to be treated, in a certain designated or elected State, as an application not for a patent but for another kind of protection available under the national law of the designated or elected State concerned, the applicant will have to indicate his choice directly to the designated or elected Office when performing the acts, referred to in Articles 22 or 39(1), for entry into the national phase. For details about various kinds of protection available in designated or elected States, see the *PCT Applicant's Guide*, Annex B.

However, for the reasons explained below, it is possible to indicate, by marking the applicable check-box(es), that DE Germany, JP Japan and/or KR Republic of Korea are not designated for any kind of national protection. Each of those States has notified the International Bureau that Rule 4.9(b) applies to it since its national law provides that the filing of an international application which contains the designation of that State and claims the priority, **at the time of filing** or subsequently under Rule 26bis.1, of an earlier national application (for DE: for the same kind of protection) having effect in that State shall have the result that the earlier national application ceases, where applicable, after the expiration of certain time limits, to have effect with the same consequences as the withdrawal of the earlier national application. The designation of DE Germany for the purposes of a EP European patent is not affected by what is said above. For details see the *PCT Applicant's Guide*, in the relevant Annex B.

Only the three States mentioned above may be excluded from the all-inclusive coverage of all designations in Box No. V. For any other PCT Contracting State which the applicant wishes to exclude from the all-inclusive coverage of all designations, the applicant should submit a separate notice of withdrawal of the designation concerned under Rule 90bis.2. **Important: Should a notice of withdrawal be filed, that notice will have to be signed by the applicant or, if there are two or more applicants, by all of them (Rule 90bis.5), or by an agent or a common representative whose appointment has been effected by each applicant signing, at his choice, the request, the demand or a separate power of attorney (Rule 90.4(a)).**

BOX No. VI

Priority Claim(s) (Rule 4.10): If the priority of an earlier application is claimed, the declaration containing the priority claim must be made in the request.

The request must indicate the *date* on which the earlier application from which priority is claimed was filed and the *number* it was assigned. Note that that date must fall within the period of 12 months preceding the international filing date.

Where the earlier application is a national application, the *country* party to the Paris Convention for the Protection of Industrial Property, or the *Member* of the World Trade Organization that is not a party to that Convention, in which that earlier application was filed must be indicated. Where the earlier application is a regional application, the *regional Office* concerned must be indicated. Where the earlier application is an international application, the *receiving Office* with which that earlier application was filed must be indicated.

Where the earlier application is a regional application (see however below), or an international application, the priority claim may also, if the applicant so wishes, indicate one or more countries party to the Paris Convention for which that earlier

application was filed (Rule 4.10(b)(i)); such an indication is not, however, mandatory. Where the earlier application is a regional application and at least one of the countries party to the regional patent treaty is neither party to the Paris Convention nor a Member of the World Trade Organization, at least one country party to the Paris Convention or one Member of the World Trade Organization for which that earlier application was filed must be indicated (Rule 4.10(b)(ii)) in the Supplemental Box.

As to the possibility of correcting or adding a priority claim, see Rule 26bis.1 and the *PCT Applicant's Guide*, International Phase.

Restoration of the Right of Priority (Rules 4.1(c)(v) and 26bis.3): The procedure for restoration of the right of priority is not applicable to a receiving Office which has provided notice to the International Bureau under Rule 26bis.3(j) of the incompatibility of Rule 26bis.3(a) to (i) with the national law applied by that Office. Where the international application is filed on a date which is later than the date on which the priority period (see Rule 2.4) expired but within the period of two months from that date, the applicant may request the receiving Office to restore the right of priority (Rule 26bis.3). Such a request must be filed with the receiving Office within two months from the date on which the priority period expired; it may be included in the request (Rule 4.1(c)(v)) by identifying the priority claim(s) in Box No. VI. If, in Box No. VI, a priority claim is identified in respect of which a request to restore the right of priority is made, in such case, a separate document should be submitted entitled "Statement for Restoration of the Right of Priority". This separate document should indicate, for each earlier application concerned, the filing date, the earlier application number and the name or two-letter code of the country, Member of WTO, regional Office or receiving Office. Then, for each earlier application concerned, the applicant should state the reasons for the failure to file the international application within the priority period (Rules 26bis.3(a) and 26bis.3(b)(ii)). Note that such a request may be subjected by the receiving Office to the payment to it of a fee, payable within the time limit referred to above (Rule 26bis.3(e)). According to Rule 26bis.3(d), the time limit for payment of the fee may be extended, at the option of the receiving Office, for a period of up to two months from the expiration of the time limit applicable under Rule 26bis.3(e). Note further that the receiving Office may require the furnishing, within a reasonable time limit, of a declaration or other evidence in support of the statement of reasons; preferably, such declaration or other evidence should already be submitted to the receiving Office together with the request for restoration (Rule 26bis.3(b) and (f)). The receiving Office shall restore the right of priority if it finds that a criterion for restoration applied by the Office is satisfied (Rule 26bis.3(a)). For information on which criteria a receiving Office applies see the *PCT Applicant's Guide*, Annex C.

Incorporation by Reference (Rules 4.18 and 20): The procedure for incorporation by reference is not applicable to a receiving Office which has provided notice to the International Bureau under Rule 20.8(a) of the incompatibility of Rules 20.3(a)(ii) and (b)(ii), 20.5(a)(ii) and (d), and 20.6 with the national law applied by that Office. Where the receiving Office finds that any of the requirements of Article 11(1)(iii)(d) and (e) are not or appear not to be fulfilled, it will invite the applicant to either furnish the required correction or confirm that the element concerned referred to in Article 11(1)(iii)(d) or (e) is incorporated by reference under Rule 4.18. Where the applicant furnishes the required correction under Article 11(2), the international filing date will be the date on which the receiving Office receives the required correction (see Rule 20.3(a)(ii) and (b)(i)), provided that all other requirements of Article 11(1) are fulfilled. However, where the applicant confirms the incorporation by reference of an element referred to in Article 11(1)(iii)(d) or (e) which is completely contained in an earlier application the priority of which is claimed in the international application, that element will be considered to have been contained in the purported international application on the date on which one or more elements referred to in

Article 11(1)(iii) were first received by the receiving Office, and the international filing date will be the date on which all Article 11(1) requirements are fulfilled (see Rule 20.3(a)(ii) and (b)(ii)).

Where the applicant furnishes a missing part to the receiving Office after the date on which all of the requirements of Article 11(1) were fulfilled but within the applicable time limit under Rule 20.7, that part will be included in the international application and the international filing date will be corrected to the date on which the receiving Office received that part (see Rule 20.5(c)). In such a case, the applicant will be given the opportunity to request the receiving Office to disregard the missing part concerned, in which case the missing part would be considered not to have been furnished and the correction of the international filing date not to have been made (see Rule 20.5(e)). However, where the applicant confirms the incorporation by reference of a part of the description, claims or drawings under Rule 4.18 and the receiving Office finds that all the requirements of Rules 4.18 and 20.6(a) are complied with, that part will be considered to have been contained in the purported international application on the date on which one or more elements referred to in Article 11(1)(iii) were first received by the receiving Office, and the international filing date will be the date on which all of the requirements of Article 11(1) are fulfilled (see Rule 20.5).

Furnishing the priority document(s) (Rule 17.1): A certified copy of each earlier application the priority of which is claimed (priority document) must be submitted by the applicant, irrespective of whether that earlier application is a national, regional or international application. The priority document must be submitted to the receiving Office or to the International Bureau before the expiration of 16 months from the (earliest) priority date or, where an early start of the national phase is requested, not later than at the time such request is made. Any priority document received by the International Bureau after the expiration of the 16-month time limit but before the date of international publication shall be considered to have been received on the last day of that time limit (Rule 17.1(a)).

Where the priority document was issued by the receiving Office, the applicant may, instead of submitting the priority document, request the receiving Office (not later than 16 months after the priority date) to prepare and transmit the priority document to the International Bureau (Rule 4.1(c)(ii)). Such requests may be made by marking the applicable check-boxes in Box No. VI. Note that where such a request is made, the applicant must, where applicable, pay to the receiving Office the *fee for priority document*, otherwise, the request will be considered not to have been made (see Rule 17.1(b)).

Where the priority document is available from an Office that participates in the WIPO Digital Access Service for Priority Documents (DAS) (www.wipo.int/patentscope/en/priority_documents/offices.html), the applicant may use DAS to provide the priority document to the International Bureau. Once the applicant requests the depositing Office to provide a copy of the priority document to DAS (see *PCT Applicant's Guide*, Annex B of the DAS depositing Office for further indications of the procedure to be followed), the applicant will receive an access code. The applicant should then mark the applicable check-boxes in Box No. VI, and indicate the access code for each specific priority document. (For a transitional period, until all DAS accessing offices are using the system described above, the old system will continue to work, where the check-box to request retrieval from DAS can be selected without indicating the access code, as long as the applicant allows access to the priority document for the International Bureau using the access control list in the DAS applicant portal.)

Information concerning whether and which priority documents are available to the International Bureau from a digital library is published in the *Official Notices (PCT Gazette)* pursuant to Section 715(c) and the *PCT Applicant's Guide*, Annex B(IB).

Dates (Section 110): Dates must be indicated by the Arabic number of the day, the name of the month and the Arabic number of the year – in that order; after, below or above such indication, the date should be repeated in parentheses, using two-digit Arabic numerals each for the number of the day and for the number of the month followed by the number of the year in four digits, in that order and separated by periods, slants or hyphens, for example, “26 October 2012 (26.10.2012)”, “26 October 2012 (26/10/2012)” or “26 October 2012 (26-10-2012)”.

BOX No. VII

Choice of International Searching Authority (ISA) (Rules 4.1(b)(iv) and 4.14bis): If two or more International Searching Authorities are competent for carrying out the international search in relation to the international application – depending on the language in which that application is filed and the receiving Office with which it is filed – the name of the competent Authority chosen by the applicant must be indicated in the space provided, either by its full name or two-letter code.

Request to Use Results of Earlier Search; Reference to that Search (Rules 4.12, 12bis, 16.3 and 41.1). The applicant may request the ISA to take into account, in carrying out the international search, the results of an earlier search carried out either by that Authority, by another ISA or by a national Office (Rule 4.12). Where the applicant has made such a request and complied with the requirements under Rule 12bis, the ISA shall, to the extent possible, take into account the results of the earlier search. If, on the other hand, the earlier search was carried out by another ISA or by another national or regional Office, the ISA may, but is not obliged to, take the results of the earlier search into account (Rule 41.1). Where the ISA takes into account the results of an earlier search, it shall (partially) refund the search fee to the extent and under the conditions provided for in the agreement under Article 16(3)(b) (see, for each ISA, the *PCT Applicant's Guide*, Annex D).

Any request to take into account the results of an earlier search should identify: the filing date and number of the application in respect of which the earlier search was carried out and the Authority or Office which carried out the earlier search (Rules 4.1(b)(ii) and 4.12(i)).

The applicant shall submit to the receiving Office, together with the international application at the time of filing, a copy of the results of the earlier search (Rule 12bis.1(a)), except:

- where the earlier search was carried out by the same Office as that which is acting as the receiving Office, the applicant may, instead of submitting copies of the required documents, request the receiving Office to transmit copies of those documents to the ISA by marking the appropriate check-box (Rule 12bis.1(c));
- where the earlier search was carried out by the same Authority or Office as that which is acting as ISA, no copy or translation of any document (i.e. of the results of the earlier search or of the earlier application or of any document cited in the earlier search, where applicable) is required to be submitted (Rule 12bis.1(d));
- where a copy or translation of the earlier search is available to the ISA in a form and manner acceptable to it, and if so indicated in the request form by the applicant by marking the appropriate check-box, no copy or translation of any document is required to be submitted to the ISA (Rule 12bis.1(f));
- where the request form contains a statement under Rule 4.12(ii) that the international application is the same, or substantially the same, as an application in respect of which the earlier search was carried out, or that the international application is the same, or substantially the same, as that earlier application, except that it is filed in a different language, no copy of the earlier application or its translation is required to be transmitted to the ISA (Rules 4.12(ii) and 12bis.1(e)).

Article 11(1)(iii) were first received by the receiving Office, and the international filing date will be the date on which all Article 11(1) requirements are fulfilled (see Rule 20.3(a)(ii) and (b)(ii)).

Where the applicant furnishes a missing part to the receiving Office after the date on which all of the requirements of Article 11(1) were fulfilled but within the applicable time limit under Rule 20.7, that part will be included in the international application and the international filing date will be corrected to the date on which the receiving Office received that part (see Rule 20.5(c)). In such a case, the applicant will be given the opportunity to request the receiving Office to disregard the missing part concerned, in which case the missing part would be considered not to have been furnished and the correction of the international filing date not to have been made (see Rule 20.5(e)). However, where the applicant confirms the incorporation by reference of a part of the description, claims or drawings under Rule 4.18 and the receiving Office finds that all the requirements of Rules 4.18 and 20.6(a) are complied with, that part will be considered to have been contained in the purported international application on the date on which one or more elements referred to in Article 11(1)(iii) were first received by the receiving Office, and the international filing date will be the date on which all of the requirements of Article 11(1) are fulfilled (see Rule 20.5).

Furnishing the priority document(s) (Rule 17.1): A certified copy of each earlier application the priority of which is claimed (priority document) must be submitted by the applicant, irrespective of whether that earlier application is a national, regional or international application. The priority document must be submitted to the receiving Office or to the International Bureau before the expiration of 16 months from the (earliest) priority date or, where an early start of the national phase is requested, not later than at the time such request is made. Any priority document received by the International Bureau after the expiration of the 16-month time limit but before the date of international publication shall be considered to have been received on the last day of that time limit (Rule 17.1(a)).

Where the priority document was issued by the receiving Office, the applicant may, instead of submitting the priority document, request the receiving Office (not later than 16 months after the priority date) to prepare and transmit the priority document to the International Bureau (Rule 4.1(c)(ii)). Such requests may be made by marking the applicable check-boxes in Box No. VI. Note that where such a request is made, the applicant must, where applicable, pay to the receiving Office the *fee for priority document*, otherwise, the request will be considered not to have been made (see Rule 17.1(b)).

Where the priority document is available from an Office that participates in the WIPO Digital Access Service for Priority Documents (DAS) (http://www.wipo.int/patentscope/en/priority_documents/offices.html), the applicant may use DAS to provide the priority document to the International Bureau. Once the applicant requests the depositing Office to provide a copy of the priority document to DAS (see *PCT Applicant's Guide*, Annex B of the DAS depositing Office for further indications of the procedure to be followed), the applicant will receive an access code. The applicant should then mark the applicable check-boxes in Box No. VI, and indicate the access code for each specific priority document. (For a transitional period, until all DAS accessing offices are using the system described above, the old system will continue to work, where the check-box to request retrieval from DAS can be selected without indicating the access code, as long as the applicant allows access to the priority document for the International Bureau using the access control list in the DAS applicant portal.)

Information concerning whether and which priority documents are available to the International Bureau from a digital library is published in the *Official Notices (PCT Gazette)* pursuant to Section 715(c) and the *PCT Applicant's Guide*, Annex B(IB).

Dates (Section 110): Dates must be indicated by the Arabic number of the day, the name of the month and the Arabic number of the year – in that order; after, below or above such indication, the date should be repeated in parentheses, using two-digit Arabic numerals each for the number of the day and for the number of the month followed by the number of the year in four digits, in that order and separated by periods, slants or hyphens, for example, “26 October 2012 (26.10.2012)”, “26 October 2012 (26/10/2012)” or “26 October 2012 (26-10-2012)”.

BOX No. VII

Choice of International Searching Authority (ISA) (Rules 4.1(b)(iv) and 4.14*bis*): If two or more International Searching Authorities are competent for carrying out the international search in relation to the international application – depending on the language in which that application is filed and the receiving Office with which it is filed – the name of the competent Authority chosen by the applicant must be indicated in the space provided, either by its full name or two-letter code.

Request to Use Results of Earlier Search; Reference to that Search (Rules 4.12, 12*bis*, 16.3 and 41.1). The applicant may request the ISA to take into account, in carrying out the international search, the results of an earlier search carried out either by that Authority, by another ISA or by a national Office (Rule 4.12). Where the applicant has made such a request and complied with the requirements under Rule 12*bis*, the ISA shall, to the extent possible, take into account the results of the earlier search. If, on the other hand, the earlier search was carried out by another ISA or by another national or regional Office, the ISA may, but is not obliged to, take the results of the earlier search into account (Rule 41.1). Where the ISA takes into account the results of an earlier search, it shall (partially) refund the search fee to the extent and under the conditions provided for in the agreement under Article 16(3)(b) (see, for each ISA, the *PCT Applicant's Guide*, Annex D).

Any request to take into account the results of an earlier search should identify: the filing date and number of the application in respect of which the earlier search was carried out and the Authority or Office which carried out the earlier search (Rules 4.1(b)(ii) and 4.12(i)).

The applicant shall submit to the receiving Office, together with the international application at the time of filing, a copy of the results of the earlier search (Rule 12*bis*.1(a)), except:

- where the earlier search was carried out by the same Office as that which is acting as the receiving Office, the applicant may, instead of submitting copies of the required documents, request the receiving Office to transmit copies of those documents to the ISA by marking the appropriate check-box (Rule 12*bis*.1(c));
- where the earlier search was carried out by the same Authority or Office as that which is acting as ISA, no copy or translation of any document (i.e. of the results of the earlier search or of the earlier application or of any document cited in the earlier search, where applicable) is required to be submitted (Rule 12*bis*.1(d));
- where a copy or translation of the earlier search is available to the ISA in a form and manner acceptable to it, and if so indicated in the request form by the applicant by marking the appropriate check-box, no copy or translation of any document is required to be submitted to the ISA (Rule 12*bis*.1(f));
- where the request form contains a statement under Rule 4.12(ii) that the international application is the same, or substantially the same, as an application in respect of which the earlier search was carried out, or that the international application is the same, or substantially the same, as that earlier application, except that it is filed in a different language, no copy of the earlier application or its translation is required to be transmitted to the ISA (Rules 4.12(ii) and 12*bis*.1(e)).

Use of Results of more than one Earlier Search: Where the ISA is requested to use the results of more than one earlier search, the check-boxes in Box No. VII should be marked, as applicable, for each earlier search. Where *more than two results of previous searches are indicated*, please mark the relevant check-box, and furnish duplicates of this page, marked “continuation sheet for Box No. VII” and attached to the request form.

BOX No. VIII

Declarations Containing Standardized Wording (Rules 4.1(c)(iii) and 4.17): At the option of the applicant, the request may, for the purposes of the national law applicable in one or more designated States, contain one or more of the following declarations:

- (i) declaration as to the identity of the inventor;
- (ii) declaration as to the applicant’s entitlement, as at the international filing date, to apply for and be granted a patent;
- (iii) declaration as to the applicant’s entitlement, as at the international filing date, to claim the priority of the earlier application;
- (iv) declaration of inventorship (only for the purposes of the designation of the United States of America);
- (v) declaration as to non-prejudicial disclosures or exceptions to lack of novelty;

which must conform to the standardized wording provided for in Sections 211 to 215, respectively, and which must be set forth in Boxes Nos. VIII (i) to (v), as detailed below. Where any such declarations are included, the appropriate check-boxes in Box No. VIII should be marked and the number of each type of declaration should be indicated in the right-hand column. As to the possibility of correcting or adding a declaration, see Rule 26ter, Section 216 and the *PCT Applicant’s Guide*, International Phase.

If the circumstances of a particular case are such that the standardized wordings are not applicable, the applicant should not attempt to make use of the declarations provided for in Rule 4.17 but rather will have to comply with the national requirements concerned upon entry into the national phase.

The fact that a declaration is made under Rule 4.17 does not of itself establish the matters declared; the effect of those matters in the designated States concerned will be determined by the designated Offices in accordance with the applicable national law.

Even if the wording of a declaration does not conform to the standardized wording provided for in the Administrative Instructions pursuant to Rule 4.17, any designated Office may accept that declaration for the purposes of the applicable national law, but is not required to do so.

Details as to National Law Requirements: For information on the declarations required by each designated Office, see the *PCT Applicant’s Guide*, in the relevant National Chapter.

Effect in Designated Offices (Rule 51bis.2): Where the applicant submits any of the declarations provided for in Rule 4.17(i) to (iv) containing the required standardized wording (either with the international application, or to the International Bureau within the relevant time limit under Rule 26ter, or directly to the designated Office during the national phase), the designated Office may not, in the national phase, require further documents or evidence on the matter to which the declaration relates, unless that designated Office may reasonably doubt the veracity of the declaration concerned.

Incompatibility of Certain Items of Rule 51bis.2(a) with National Laws (Rule 51bis.2(c)): Certain designated Offices have informed the International Bureau that the applicable national law is not compatible in respect of certain declarations provided in Rule 4.17(i), (ii) and (iii). Those designated

Offices are therefore entitled to require further documents or evidence on the matters to which those declarations relate. For regularly updated information on such Offices, see the WIPO website: www.wipo.int/pct/en/texts/reservations/res_incomp.html.

BOXES Nos. VIII (i) TO (v) (IN GENERAL)

Different Declaration Boxes: There are six different declaration boxes in the pre-printed request form – one box for each of the five different types of declarations provided for in Rule 4.17 (Box No. VIII (i) to Box No. VIII (v)) and a continuation sheet (Continuation of Box No. VIII (i) to (v)) to be used in case any single declaration does not fit in the corresponding box. The title of each type of declaration which is found in the standardized wording provided for in the Administrative Instructions is pre-printed on the appropriate sheet of the request.

Separate Sheet for Each Declaration: Each declaration must start on a separate sheet of the request form in the appropriate Declaration Box.

Titles, Items, Item Numbers, Dotted Lines, Words in Parentheses and Words in Brackets: The prescribed standardized wording of the declarations includes titles, various items, item numbers, dotted lines, words in parentheses and words in brackets. Except for Box No. VIII (iv) which contains the pre-printed standardized wording, only those items which are applicable should be included in a declaration where necessary to support the statements in that declaration (that is, omit those items which do not apply) and item numbers need not be included. Dotted lines indicate where information is required to be inserted. Words in parentheses are instructions to applicants as to the information which may be included in the declaration depending upon the factual circumstances. Words in brackets are optional and should appear in the declaration without the brackets if they apply; if they do not apply, they should be omitted together with the corresponding brackets.

Naming of Several Persons: More than one person may be named in a single declaration. In the alternative, with one exception, a separate declaration may be made for each person. With respect to the declaration of inventorship set forth in Box No. VIII (iv), which is applicable only for the purposes of the designation of the United States of America, all inventors must be indicated in a single declaration (see Notes to Box No. VIII (iv), below). The wording of declarations to be set forth in Boxes Nos. VIII (i), (ii), (iii) and (v) may be adapted from the singular to the plural as necessary.

BOX No. VIII (i)

Declaration as to the Identity of the Inventor (Rule 4.17(i) and Section 211): The declaration must be worded as follows:

“Declaration as to the identity of the inventor (Rules 4.17(i) and 51bis.1(a)(i)):

in relation to [this] international application [No. PCT/...],

... (*name*) of ... (*address*) is the inventor of the subject matter for which protection is sought by way of [the] [this] international application”

Such a declaration is not necessary in respect of any inventor who is indicated as such (either as inventor only or applicant and inventor) in Box No. II or No. III in accordance with Rule 4.5 or 4.6. However, where the inventor is indicated as applicant in Box No. II or No. III in accordance with Rule 4.5, a declaration as to the applicant’s entitlement to apply for and be granted a patent (Rule 4.17(ii)) may be appropriate. Where indications regarding the inventor in accordance with Rule 4.5 or 4.6 are not included in Box No. II or No. III, this declaration may be combined with the prescribed wording of the declaration as to the applicant’s entitlement to apply for and be granted a

Use of Results of more than one Earlier Search: Where the ISA is requested to use the results of more than one earlier search, the check-boxes in Box No. VII should be marked, as applicable, for each earlier search. Where *more than two results of previous searches are indicated*, please mark the relevant check-box, and furnish duplicates of this page, marked “continuation sheet for Box No. VII” and attached to the request form.

BOX No. VIII

Declarations Containing Standardized Wording (Rules 4.1(c)(iii) and 4.17): At the option of the applicant, the request may, for the purposes of the national law applicable in one or more designated States, contain one or more of the following declarations:

- (i) declaration as to the identity of the inventor;
- (ii) declaration as to the applicant’s entitlement, as at the international filing date, to apply for and be granted a patent;
- (iii) declaration as to the applicant’s entitlement, as at the international filing date, to claim the priority of the earlier application;
- (iv) declaration of inventorship (only for the purposes of the designation of the United States of America);
- (v) declaration as to non-prejudicial disclosures or exceptions to lack of novelty;

which must conform to the standardized wording provided for in Sections 211 to 215, respectively, and which must be set forth in Boxes Nos. VIII (i) to (v), as detailed below. Where any such declarations are included, the appropriate check-boxes in Box No. VIII should be marked and the number of each type of declaration should be indicated in the right-hand column. As to the possibility of correcting or adding a declaration, see Rule 26ter, Section 216 and the *PCT Applicant’s Guide*, International Phase.

If the circumstances of a particular case are such that the standardized wordings are not applicable, the applicant should not attempt to make use of the declarations provided for in Rule 4.17 but rather will have to comply with the national requirements concerned upon entry into the national phase.

The fact that a declaration is made under Rule 4.17 does not of itself establish the matters declared; the effect of those matters in the designated States concerned will be determined by the designated Offices in accordance with the applicable national law.

Even if the wording of a declaration does not conform to the standardized wording provided for in the Administrative Instructions pursuant to Rule 4.17, any designated Office may accept that declaration for the purposes of the applicable national law, but is not required to do so.

Details as to National Law Requirements: For information on the declarations required by each designated Office, see the *PCT Applicant’s Guide*, in the relevant National Chapter.

Effect in Designated Offices (Rule 51bis.2): Where the applicant submits any of the declarations provided for in Rule 4.17(i) to (iv) containing the required standardized wording (either with the international application, or to the International Bureau within the relevant time limit under Rule 26ter, or directly to the designated Office during the national phase), the designated Office may not, in the national phase, require further documents or evidence on the matter to which the declaration relates, unless that designated Office may reasonably doubt the veracity of the declaration concerned.

Incompatibility of Certain Items of Rule 51bis.2(a) with National Laws (Rule 51bis.2(c)): Certain designated Offices have informed the International Bureau that the applicable national law is not compatible in respect of certain declarations provided in Rule 4.17(i), (ii) and (iii). Those designated

Offices are therefore entitled to require further documents or evidence on the matters to which those declarations relate. For regularly updated information on such Offices, see the WIPO website: www.wipo.int/pct/en/texts/reservations/res_incomp.html.

BOXES Nos. VIII (i) TO (v) (IN GENERAL)

Different Declaration Boxes: There are six different declaration boxes in the pre-printed request form – one box for each of the five different types of declarations provided for in Rule 4.17 (Box No. VIII (i) to Box No. VIII (v)) and a continuation sheet (Continuation of Box No. VIII (i) to (v)) to be used in case any single declaration does not fit in the corresponding box. The title of each type of declaration which is found in the standardized wording provided for in the Administrative Instructions is pre-printed on the appropriate sheet of the request.

Separate Sheet for Each Declaration: Each declaration must start on a separate sheet of the request form in the appropriate Declaration Box.

Titles, Items, Item Numbers, Dotted Lines, Words in Parentheses and Words in Brackets: The prescribed standardized wording of the declarations includes titles, various items, item numbers, dotted lines, words in parentheses and words in brackets. Except for Box No. VIII (iv) which contains the pre-printed standardized wording, only those items which are applicable should be included in a declaration where necessary to support the statements in that declaration (that is, omit those items which do not apply) and item numbers need not be included. Dotted lines indicate where information is required to be inserted. Words in parentheses are instructions to applicants as to the information which may be included in the declaration depending upon the factual circumstances. Words in brackets are optional and should appear in the declaration without the brackets if they apply; if they do not apply, they should be omitted together with the corresponding brackets.

Naming of Several Persons: More than one person may be named in a single declaration. In the alternative, with one exception, a separate declaration may be made for each person. With respect to the declaration of inventorship set forth in Box No. VIII (iv), which is applicable only for the purposes of the designation of the United States of America, all inventors must be indicated in a single declaration (see Notes to Box No. VIII (iv), below). The wording of declarations to be set forth in Boxes Nos. VIII (i), (ii), (iii) and (v) may be adapted from the singular to the plural as necessary.

BOX No. VIII (i)

Declaration as to the Identity of the Inventor (Rule 4.17(i) and Section 211): The declaration must be worded as follows:

“Declaration as to the identity of the inventor (Rules 4.17(i) and 51bis.1(a)(i)):

in relation to [this] international application [No. PCT/...],

... (*name*) of ... (*address*) is the inventor of the subject matter for which protection is sought by way of [the] [this] international application”

Such a declaration is not necessary in respect of any inventor who is indicated as such (either as inventor only or applicant and inventor) in Box No. II or No. III in accordance with Rule 4.5 or 4.6. However, where the inventor is indicated as applicant in Box No. II or No. III in accordance with Rule 4.5, a declaration as to the applicant’s entitlement to apply for and be granted a patent (Rule 4.17(ii)) may be appropriate. Where indications regarding the inventor in accordance with Rule 4.5 or 4.6 are not included in Box No. II or No. III, this declaration may be combined with the prescribed wording of the declaration as to the applicant’s entitlement to apply for and be granted a

patent (Rule 4.17(ii)). For details on such a combined declaration, see Notes to Box No. VIII (ii), below. For details as to the declaration of inventorship for the purposes of the designation of the United States of America, see Notes to Box No. VIII (iv), below.

BOX No. VIII (ii)

Declaration as to the Applicant's Entitlement to Apply for and Be Granted a Patent (Rule 4.17(ii) and Section 212): The declaration must be worded as follows, with such inclusion, omission, repetition and re-ordering of the matters listed as items (i) to (viii) as is necessary to explain the applicant's entitlement:

"Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)), in a case where the declaration under Rule 4.17(iv) is not appropriate:

in relation to [this] international application [No. PCT/...],

... (name) is entitled to apply for and be granted a patent by virtue of the following:

- (i) ... (name) of ... (address) is the inventor of the subject matter for which protection is sought by way of [the] [this] international application
- (ii) ... (name) [is] [was] entitled as employer of the inventor, ... (inventor's name)
- (iii) an agreement between ... (name) and ... (name), dated ...
- (iv) an assignment from ... (name) to ... (name), dated ...
- (v) consent from ... (name) in favor of ... (name), dated ...
- (vi) a court order issued by ... (name of court), effecting a transfer from ... (name) to ... (name), dated ...
- (vii) transfer of entitlement from ... (name) to ... (name) by way of ... (specify kind of transfer), dated ...
- (viii) the applicant's name changed from ... (name) to ... (name) on ... (date)"

Items (i) to (viii) may be incorporated as is necessary to explain the applicant's entitlement. **This declaration is only applicable to those events which have occurred prior to the international filing date.** The possible kinds of transfer of entitlement in item (vii) include merger, acquisition, inheritance, donation, etc. Where there has been a succession of transfers from the inventor, the order in which transfers are listed should follow the actual succession of transfers, and items may be included more than once, as necessary to explain the applicant's entitlement. Where the inventor is not indicated in Box No. II or No. III, this declaration may be presented as a combined declaration explaining the applicant's entitlement to apply for and be granted a patent and identifying the inventor. In such a case, the introductory phrase of the declaration must be as follows:

"Combined declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)) and as to the identity of the inventor (Rules 4.17(i) and 51bis.1(a)(i)), in a case where the declaration under Rule 4.17(iv) is not appropriate:"

The remainder of the combined declaration must be worded as indicated in the preceding paragraphs.

For details as to the declaration as to the identity of the inventor, see the Notes to Box No. VIII (i), above.

BOX No. VIII (iii)

Declaration as to the Applicant's Entitlement to Claim Priority of the Earlier Application (Rule 4.17(iii) and Section 213): The declaration must be worded as follows,

with such inclusion, omission, repetition and re-ordering of the matters listed as items (i) to (viii) as is necessary to explain the applicant's entitlement:

"Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)):

in relation to [this] international application [No. PCT/...],

... (name) is entitled to claim priority of earlier application No. ... by virtue of the following:

- (i) the applicant is the inventor of the subject matter for which protection was sought by way of the earlier application
- (ii) ... (name) [is] [was] entitled as employer of the inventor, ... (inventor's name)
- (iii) an agreement between ... (name) and ... (name), dated ...
- (iv) an assignment from ... (name) to ... (name), dated ...
- (v) consent from ... (name) in favor of ... (name), dated ...
- (vi) a court order, issued by ... (name of court), effecting a transfer from ... (name) to ... (name), dated ...
- (vii) transfer of entitlement from ... (name) to ... (name) by way of ... (specify kind of transfer), dated ...
- (viii) the applicant's name changed from ... (name) to ... (name) on ... (date)"

Items (i) to (viii) may be incorporated as is necessary to explain the applicant's entitlement. **This declaration is only applicable to those events which have occurred prior to the international filing date.** In addition, this declaration is only applicable where the person or name of the applicant is different from that of the applicant who filed the earlier application from which priority is claimed. For example, this declaration may be applicable where only one applicant out of five is different from the applicants indicated in respect of an earlier application. The possible kinds of transfer of entitlement in item (vii) include merger, acquisition, inheritance, donation, etc. Where there has been a succession of transfers from the applicant in respect of the earlier application, the order in which transfers are listed should follow the actual succession of transfers, and items may be included more than once, as necessary to explain the applicant's entitlement.

BOX No. VIII (iv)

Declaration of Inventorship (Rule 4.17(iv) and Section 214): The standardized wording for the declaration is pre-printed in Box No. VIII (iv).

The name, residence and address must be included for each inventor. If the name and address of an inventor is not written in the Latin alphabet, the name and address must be indicated in the Latin alphabet. All inventors must sign and date the declaration even if they do not all sign the same copy of the declaration (Section 214(b)).

If there are more than three inventors, those other inventors must be indicated on the "Continuation of Box No. VIII (i) to (v)" sheet. The continuation sheet should be entitled "Continuation of Box No. VIII (iv)," must indicate the name, residence and address for those other inventors, and at least the name and address in the Latin alphabet. In such a case, the "complete declaration" includes Box No. VIII (iv) and the continuation sheet. All inventors must sign and date a complete declaration even if they do not all sign the same copy of the complete declaration, and a copy of each separately signed complete declaration must be submitted (Section 214(b)).

patent (Rule 4.17(ii)). For details on such a combined declaration, see Notes to Box No. VIII (ii), below. For details as to the declaration of inventorship for the purposes of the designation of the United States of America, see Notes to Box No. VIII (iv), below.

BOX No. VIII (ii)

Declaration as to the Applicant's Entitlement to Apply for and Be Granted a Patent (Rule 4.17(ii) and Section 212): The declaration must be worded as follows, with such inclusion, omission, repetition and re-ordering of the matters listed as items (i) to (viii) as is necessary to explain the applicant's entitlement:

"Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)), in a case where the declaration under Rule 4.17(iv) is not appropriate:

in relation to [this] international application [No. PCT/...],

... (name) is entitled to apply for and be granted a patent by virtue of the following:

- (i) ... (name) of ... (address) is the inventor of the subject matter for which protection is sought by way of [the] [this] international application
- (ii) ... (name) [is] [was] entitled as employer of the inventor, ... (inventor's name)
- (iii) an agreement between ... (name) and ... (name), dated ...
- (iv) an assignment from ... (name) to ... (name), dated ...
- (v) consent from ... (name) in favor of ... (name), dated ...
- (vi) a court order issued by ... (name of court), effecting a transfer from ... (name) to ... (name), dated ...
- (vii) transfer of entitlement from ... (name) to ... (name) by way of ... (specify kind of transfer), dated ...
- (viii) the applicant's name changed from ... (name) to ... (name) on ... (date)"

Items (i) to (viii) may be incorporated as is necessary to explain the applicant's entitlement. **This declaration is only applicable to those events which have occurred prior to the international filing date.** The possible kinds of transfer of entitlement in item (vii) include merger, acquisition, inheritance, donation, etc. Where there has been a succession of transfers from the inventor, the order in which transfers are listed should follow the actual succession of transfers, and items may be included more than once, as necessary to explain the applicant's entitlement. Where the inventor is not indicated in Box No. II or No. III, this declaration may be presented as a combined declaration explaining the applicant's entitlement to apply for and be granted a patent and identifying the inventor. In such a case, the introductory phrase of the declaration must be as follows:

"Combined declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)) and as to the identity of the inventor (Rules 4.17(i) and 51bis.1(a)(i)), in a case where the declaration under Rule 4.17(iv) is not appropriate:"

The remainder of the combined declaration must be worded as indicated in the preceding paragraphs.

For details as to the declaration as to the identity of the inventor, see the Notes to Box No. VIII (i), above.

BOX No. VIII (iii)

Declaration as to the Applicant's Entitlement to Claim Priority of the Earlier Application (Rule 4.17(iii) and Section 213): The declaration must be worded as follows,

with such inclusion, omission, repetition and re-ordering of the matters listed as items (i) to (viii) as is necessary to explain the applicant's entitlement:

"Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)):

in relation to [this] international application [No. PCT/...],

... (name) is entitled to claim priority of earlier application No. ... by virtue of the following:

- (i) the applicant is the inventor of the subject matter for which protection was sought by way of the earlier application
- (ii) ... (name) [is] [was] entitled as employer of the inventor, ... (inventor's name)
- (iii) an agreement between ... (name) and ... (name), dated ...
- (iv) an assignment from ... (name) to ... (name), dated ...
- (v) consent from ... (name) in favor of ... (name), dated ...
- (vi) a court order, issued by ... (name of court), effecting a transfer from ... (name) to ... (name), dated ...
- (vii) transfer of entitlement from ... (name) to ... (name) by way of ... (specify kind of transfer), dated ...
- (viii) the applicant's name changed from ... (name) to ... (name) on ... (date)"

Items (i) to (viii) may be incorporated as is necessary to explain the applicant's entitlement. **This declaration is only applicable to those events which have occurred prior to the international filing date.** In addition, this declaration is only applicable where the person or name of the applicant is different from that of the applicant who filed the earlier application from which priority is claimed. For example, this declaration may be applicable where only one applicant out of five is different from the applicants indicated in respect of an earlier application. The possible kinds of transfer of entitlement in item (vii) include merger, acquisition, inheritance, donation, etc. Where there has been a succession of transfers from the applicant in respect of the earlier application, the order in which transfers are listed should follow the actual succession of transfers, and items may be included more than once, as necessary to explain the applicant's entitlement.

BOX No. VIII (iv)

Declaration of Inventorship (Rule 4.17(iv) and Section 214): The standardized wording for the declaration is pre-printed in Box No. VIII (iv).

The name, residence and address must be included for each inventor. If the name and address of an inventor is not written in the Latin alphabet, the name and address must be indicated in the Latin alphabet. All inventors must sign and date the declaration even if they do not all sign the same copy of the declaration (Section 214(b)).

If there are more than three inventors, those other inventors must be indicated on the "Continuation of Box No. VIII (i) to (v)" sheet. The continuation sheet should be entitled "Continuation of Box No. VIII (iv)," must indicate the name, residence and address for those other inventors, and at least the name and address in the Latin alphabet. In such a case, the "complete declaration" includes Box No. VIII (iv) and the continuation sheet. All inventors must sign and date a complete declaration even if they do not all sign the same copy of the complete declaration, and a copy of each separately signed complete declaration must be submitted (Section 214(b)).

Where the declaration was not included in the request, but is furnished later, the PCT application number MUST be indicated within the text of Box No. VIII (iv).

BOX No. VIII (v)

Declaration as to Non-prejudicial Disclosures or Exceptions to Lack of Novelty (Rule 4.17(v) and Section 215): The declaration must be worded as follows, with such inclusion, omission, repetition and re-ordering of the matters listed as items (i) to (iv) as is necessary:

“Declaration as to non-prejudicial disclosures or exceptions to lack of novelty (Rules 4.17(v) and 51bis.1(a)(v)):

in relation to [this] international application [No. PCT/...],

... (name) declares that the subject matter claimed in [the] [this] international application was disclosed as follows:

- (i) kind of disclosure (*include as applicable*):
 - (a) international exhibition
 - (b) publication
 - (c) abuse
 - (d) other: ... (*specify*)
- (ii) date of disclosure: ...
- (iii) title of disclosure (*if applicable*): ...
- (iv) place of disclosure (*if applicable*): ...”

Either (a), (b), (c) or (d) of item (i) should always be included in the declaration. Item (ii) should also always be included in the declaration. Items (iii) and (iv) may be incorporated depending upon the circumstances.

BOX No. IX

Sheets Constituting the International Application: The number of sheets of the various parts of the international application must be indicated in the check list using Arabic numerals. Sheets containing any of the Boxes Nos. VIII(i) to (v) (declaration sheets) must be counted as part of the request. It is noted that any tables, including those related to a sequence listing, should be an integral part of the description and the pages containing such tables will be counted as sheets of the international application. There is no longer any provision for submission of those tables separately or a reduced fee for such a submission.

Nucleotide and/or amino acid sequences: Paper Filings: Where the international application is filed on paper (using the sheet “last sheet - paper”) and contains disclosure of one or more nucleotide and/or amino acid sequences, a sequence listing must be presented as a separate part of the description (“sequence listing part of description”) in accordance with the standard contained in Annex C of the Administrative Instructions, that is, in compliance with WIPO Standard ST.25. The number of pages of the sequence listing must be indicated under item (f) in Box No. IX and included in the total number of sheets. Furthermore, where the sequence listing is filed on paper, a copy of the sequence listing in the form of an Annex C/ST.25 text file saved on physical data carrier(s) (together with the required statement) should accompany the international application, if so required by the ISA but **only** for the purposes of international search under Rule 13ter. In such cases therefore, check-boxes Nos. 8 and 9 must be marked in Box No. IX. In addition, the type and number of carriers such as diskettes, CD-ROMs, CD-Rs or other data carriers accepted by the ISA, should be indicated in item 8.

For EFS-Web filing with RO/US

Nucleotide and/or amino acid sequences: Electronic Filings via EFS-Web with RO/US: There exist two alternative last sheets of the request form which contain two distinct

Boxes No. IX. The sheet “last sheet – paper”, described earlier, should be used if the applicant intends to file the international application on paper. The sheet “last sheet – EFS” should **only** be used if the request form is filed online with the receiving Office of the United States of America via EFS-Web.

(a) **EFS-Web and text file:** Where the international application is filed via EFS-Web (using the sheet “last sheet - EFS”) and contains disclosure of one or more nucleotide and/or amino acid sequences, a sequence listing must be presented as a separate part of the description (“sequence listing part of description”) in accordance with the standard contained in Annex C of the Administrative Instructions, that is, in compliance with WIPO Standard ST.25. The sequence listing should **preferably** be furnished as an Annex C/ST.25 text file; in such cases, the first check-box of check-box (g) in Box No. IX should be marked. When furnished in this manner, the number of sheets of the sequence listing is **not** included in the total number of sheets making up the international application. Whenever the sequence listing is furnished as an Annex C/ST.25 text file, there is no need to file another copy of the text file for search purposes under Rule 13ter since the text file submitted will be used for both disclosure of the international application and for search purposes.

(b) **EFS-Web and image file:** If the sequence listing is filed online via EFS-Web as an image file (e.g. PDF file) rather than the recommended text file, the corresponding boxes in check-box (f) in Box No. IX should be marked. The number of sheets of the sequence listing **must be** included in the total number of sheets making up the international application. Where the sequence listing is filed in image format, a copy of the sequence listing in the form of an Annex C/ST.25 text file (together with the required statement) should accompany the international application, if so required by the ISA but **only** for the purposes of international search under Rule 13ter. In such cases, check-boxes Nos. 8 and 9 must be marked in Box No. IX.

(c) **EFS-Web and physical data carriers:** The receiving Office of the United States of America has two distinct limitations on the size of the sequence listing file it can accept via EFS-Web. If the text file containing the sequence listing is larger than 100MB, or if the image file (e.g. PDF file) containing the sequence listing is larger than 25MB, the applicant must file the sequence listings as an Annex C/ST.25 text file on physical data carrier(s). The receiving Office does not accept the filing of image (e.g. PDF file) on physical data carrier(s). In such cases, the data carrier(s) must be furnished on the same day that the international application is filed online. This may be furnished via “Express Mail Post Office to Addressee” with a date-in by the United States Postal Service the same date as the online filing date, or via commercial delivery services or by hand, provided that it reaches the receiving Office on the same day as the international application filed online. In such cases, the corresponding check-boxes in check-box (g) in Box No. IX must be marked. The number and type of carrier(s) should be indicated in check-box (g). Whenever the sequence listing is furnished as an Annex C/ST.25 text file, there is no need to file another copy of the text file for search purposes under Rule 13ter since the text file submitted will be used for both disclosure of the international application and for search purposes.

Items Accompanying the International Application: Where the international application is accompanied by certain items, the applicable check-boxes must be marked, any applicable indication must be made on the dotted line after the applicable item, and the number of such items should be indicated at the end of the relevant line; detailed explanations are provided below only in respect of those items which so require.

Check-box No. 4: Mark this check-box where a copy of a general power of attorney is filed with the international application; where the general power of attorney has been deposited with the receiving Office, and that Office has accorded to it a reference number, that number may be indicated.

Where the declaration was not included in the request, but is furnished later, the PCT application number MUST be indicated within the text of Box No. VIII (iv).

BOX No. VIII (v)

Declaration as to Non-prejudicial Disclosures or Exceptions to Lack of Novelty (Rule 4.17(v) and Section 215): The declaration must be worded as follows, with such inclusion, omission, repetition and re-ordering of the matters listed as items (i) to (iv) as is necessary:

“Declaration as to non-prejudicial disclosures or exceptions to lack of novelty (Rules 4.17(v) and 51bis.1(a)(v)):

in relation to [this] international application [No. PCT/...],

... (*name*) declares that the subject matter claimed in [the] [this] international application was disclosed as follows:

- (i) kind of disclosure (*include as applicable*):
 - (a) international exhibition
 - (b) publication
 - (c) abuse
 - (d) other: ... (*specify*)
- (ii) date of disclosure: ...
- (iii) title of disclosure (*if applicable*): ...
- (iv) place of disclosure (*if applicable*): ...”

Either (a), (b), (c) or (d) of item (i) should always be included in the declaration. Item (ii) should also always be included in the declaration. Items (iii) and (iv) may be incorporated depending upon the circumstances.

BOX No. IX

Sheets Constituting the International Application: The number of sheets of the various parts of the international application must be indicated in the check list using Arabic numerals. Sheets containing any of the Boxes Nos. VIII(i) to (v) (declaration sheets) must be counted as part of the request. It is noted that any tables, including those related to a sequence listing, should be an integral part of the description and the pages containing such tables will be counted as sheets of the international application. There is no longer any provision for submission of those tables separately or a reduced fee for such a submission.

Nucleotide and/or amino acid sequences: Paper Filings: Where the international application is filed on paper (using the sheet “last sheet - paper”) and contains disclosure of one or more nucleotide and/or amino acid sequences, a sequence listing must be presented as a separate part of the description (“sequence listing part of description”) in accordance with the standard contained in Annex C of the Administrative Instructions, that is, in compliance with WIPO Standard ST.25. The number of pages of the sequence listing must be indicated under item (f) in Box No. IX and included in the total number of sheets. Furthermore, where the sequence listing is filed on paper, a copy of the sequence listing in the form of an Annex C/ST.25 text file saved on physical data carrier(s) (together with the required statement) should accompany the international application, if so required by the ISA but **only** for the purposes of international search under Rule 13ter. In such cases therefore, check-boxes Nos. 8 and 9 must be marked in Box No. IX. In addition, the type and number of carriers such as diskettes, CD-ROMs, CD-Rs or other data carriers accepted by the ISA, should be indicated in item 8.

For EFS-Web filing with RO/US

Nucleotide and/or amino acid sequences: Electronic Filings via EFS-Web with RO/US: There exist two alternative last sheets of the request form which contain two distinct

Boxes No. IX. The sheet “last sheet – paper”, described earlier, should be used if the applicant intends to file the international application on paper. The sheet “last sheet – EFS” should **only** be used if the request form is filed online with the receiving Office of the United States of America via EFS-Web.

(a) **EFS-Web and text file:** Where the international application is filed via EFS-Web (using the sheet “last sheet - EFS”) and contains disclosure of one or more nucleotide and/or amino acid sequences, a sequence listing must be presented as a separate part of the description (“sequence listing part of description”) in accordance with the standard contained in Annex C of the Administrative Instructions, that is, in compliance with WIPO Standard ST.25. The sequence listing should **preferably** be furnished as an Annex C/ST.25 text file; in such cases, the first check-box of check-box (g) in Box No. IX should be marked. When furnished in this manner, the number of sheets of the sequence listing is **not** included in the total number of sheets making up the international application. Whenever the sequence listing is furnished as an Annex C/ST.25 text file, there is no need to file another copy of the text file for search purposes under Rule 13ter since the text file submitted will be used for both disclosure of the international application and for search purposes.

(b) **EFS-Web and image file:** If the sequence listing is filed online via EFS-Web as an image file (e.g. PDF file) rather than the recommended text file, the corresponding boxes in check-box (f) in Box No. IX should be marked. The number of sheets of the sequence listing **must be** included in the total number of sheets making up the international application. Where the sequence listing is filed in image format, a copy of the sequence listing in the form of an Annex C/ST.25 text file (together with the required statement) should accompany the international application, if so required by the ISA but **only** for the purposes of international search under Rule 13ter. In such cases, check-boxes Nos. 8 and 9 must be marked in Box No. IX.

(c) **EFS-Web and physical data carriers:** The receiving Office of the United States of America has two distinct limitations on the size of the sequence listing file it can accept via EFS-Web. If the text file containing the sequence listing is larger than 100MB, or if the image file (e.g. PDF file) containing the sequence listing is larger than 25MB, the applicant must file the sequence listings as an Annex C/ST.25 text file on physical data carrier(s). The receiving Office does not accept the filing of image (e.g. PDF file) on physical data carrier(s). In such cases, the data carrier(s) must be furnished on the same day that the international application is filed online. This may be furnished via “Express Mail Post Office to Addressee” with a date-in by the United States Postal Service the same date as the online filing date, or via commercial delivery services or by hand, provided that it reaches the receiving Office on the same day as the international application filed online. In such cases, the corresponding check-boxes in check-box (g) in Box No. IX must be marked. The number and type of carrier(s) should be indicated in check-box (g). Whenever the sequence listing is furnished as an Annex C/ST.25 text file, there is no need to file another copy of the text file for search purposes under Rule 13ter since the text file submitted will be used for both disclosure of the international application and for search purposes.

Items Accompanying the International Application: Where the international application is accompanied by certain items, the applicable check-boxes must be marked, any applicable indication must be made on the dotted line after the applicable item, and the number of such items should be indicated at the end of the relevant line; detailed explanations are provided below only in respect of those items which so require.

Check-box No. 4: Mark this check-box where a copy of a general power of attorney is filed with the international application; where the general power of attorney has been deposited with the receiving Office, and that Office has accorded to it a reference number, that number may be indicated.

Check-box No. 6: Mark this check-box where a translation of the international application for the purposes of international search (Rule 12.3) is filed together with the international application and indicate the language of that translation.

Check-box No. 7: Mark this check-box where a filled-in Form PCT/RO/134 or any separate sheet containing indications concerning deposited microorganisms and/or other biological material is filed with the international application. If Form PCT/RO/134 or any sheet containing the said indications is included as one of the sheets of the description (as required by certain designated States (see the *PCT Applicant's Guide*, Annex L)), do not mark this check-box (for further information, see Rule 13*bis* and Section 209).

Check-boxes Nos. 8 and 9: Where the sequence listing part of the description is submitted on paper, a copy of the sequence listing in the form of an Annex C/ST.25 text file (together with the required statement) should accompany the international application, if so required by the ISA, but **only** for the purposes of international search under Rule 13*ter*. In this case, check-boxes Nos. 8 and 9, must be marked in Box No. IX.

Language of Filing of the International Application (Rules 12.1(a) and 20.4(c) and (d)): With regard to the language in which the international application is filed, for the purposes of according an international filing date, it is, subject to the following sentence, sufficient that the description and the claims are in the language, or one of the languages, accepted by the receiving Office for the filing of international applications; that language should be indicated in that check-box (as regards the language of the abstract and any text matter in the drawings, see Rule 26.3*ter*(a) and (b); as regards the language of the request, see Rules 12.1(c) and 26.3*ter*(c) and (d)). Note that where the international application is filed with the United States Patent and Trademark Office as receiving Office, all elements of the international application (request, description, claims, abstract, text matter of drawings) must, for the purposes of according an international filing date, be in English except that the free text in any sequence listing part of the description, complying with the standard set out in Annex C of the Administrative Instructions, may be in a language other than English.

BOX No. X

Signature (Rules 4.1(d), 4.15, 26.2*bis*(a), 51*bis*.1(a)(vi), 90 ~~and 90*bis*.5~~): The signature must be that of the applicant; if there are several applicants, all must sign. However, if the signature of one or more of the applicants is missing, the receiving Office will not invite the applicant to furnish the missing signature(s) provided that at least one of the applicants signed the request.

Important: Should a notice of withdrawal be filed at any time during the international phase, that notice will have to be signed by the applicant or, if there are two or more applicants by all of them (Rule 90*bis*.5(a)), or by an agent or a common representative whose appointment has been effected by each applicant signing, at his choice, the request, the demand ~~or~~ a separate power of attorney (Rule 90.4(a)).

Furthermore, for the purposes of the national phase processing, each designated Office will be entitled to require the applicant to furnish the confirmation of the international application by the signature of any applicant for the designated State concerned, who has not signed the request.

Where the signature on the request is not that of the applicant but that of the agent, or the common representative, a separate power of attorney appointing the agent or the common representative, respectively, or a copy of a general

power of attorney already in the possession of the receiving Office, must be furnished. The power of attorney must be signed by the applicant, or if there is more than one applicant, by at least one of them. If the power is not filed with the request, the receiving Office will invite the applicant to furnish it, unless it has waived the requirement for a separate power of attorney (for details about each receiving Office, see the *PCT Applicant's Guide*, Annex C).

SUPPLEMENTAL BOX

The cases in which the Supplemental Box may be used and the manner of making indications in it are explained in the left column of that Box.

Items 2 and 3: Even if an indication is made in respect of items 2 and 3 under Rule 49*bis*.1(a), (b) or (d), the applicant will be required to make an indication to this effect upon entry into the national phase before the designated offices concerned.

If the applicant wishes to specify that the international application be treated in any designated State as an application for a utility model, see Notes to Box No. V.

GENERAL REMARKS

Language of Correspondence (Rule 92.2 and Section 104): Any letter from the applicant to the receiving Office must be in the language of filing of the international application provided that, where the international application is to be published in the language of a translation required under Rule 12.3, such letter should be in the language of that translation; however, the receiving Office may authorize the use of another language.

Any letter from the applicant to the International Bureau must be in the same language as the international application if that language is English or French; otherwise, it must be in English or French, at the choice of the applicant.

Any letter from the applicant to the ISA must be in the same language as the international application, provided that, where a translation of the international application for the purposes of international search has been transmitted under Rule 23.1(b), such letter is in the language of that translation. However, the ISA may authorize the use of another language.

Arrangement of Elements and Numbering of Sheets of the International Application (Rule 11.7 and Section 207): The elements of the international application must be placed in the following order: the request, the description (excluding the sequence listing part, if any), the claim(s), the abstract, the drawings (if any), the sequence listing part of the description (if any).

All sheets of the description (excluding the sequence listing part), claims and abstract must be numbered in consecutive Arabic numerals, which must be placed at the top or bottom of the sheet, in the middle, but not in the margin which must remain blank. The number of each sheet of the drawings must consist of two Arabic numerals separated by an oblique stroke, the first being the sheet number and the second being the total number of sheets of drawings (for example, 1/3, 2/3, 3/3). For numbering of the sheets of the sequence listing part of the description, see Section 207.

Indication of the Applicant's or Agent's File Reference on the sheets of the description (excluding the sequence listing part, if any), claim(s), abstract, drawings and sequence listing part of the description (Rule 11.6(f)): The file reference indicated on the request may also be indicated in the left-hand corner of the top margin, within 1.5 cm from the top of any sheet of the international application.

Check-box No. 6: Mark this check-box where a translation of the international application for the purposes of international search (Rule 12.3) is filed together with the international application and indicate the language of that translation.

Check-box No. 7: Mark this check-box where a filled-in Form PCT/RO/134 or any separate sheet containing indications concerning deposited microorganisms and/or other biological material is filed with the international application. If Form PCT/RO/134 or any sheet containing the said indications is included as one of the sheets of the description (as required by certain designated States (see the *PCT Applicant's Guide*, Annex L)), do not mark this check-box (for further information, see Rule 13*bis* and Section 209).

Check-boxes Nos. 8 and 9: Where the sequence listing part of the description is submitted on paper, a copy of the sequence listing in the form of an Annex C/ST.25 text file (together with the required statement) should accompany the international application, if so required by the ISA, but **only** for the purposes of international search under Rule 13*ter*. In this case, check-boxes Nos. 8 and 9, must be marked in Box No. IX.

Language of Filing of the International Application (Rules 12.1(a) and 20.4(c) and (d)): With regard to the language in which the international application is filed, for the purposes of according an international filing date, it is, subject to the following sentence, sufficient that the description and the claims are in the language, or one of the languages, accepted by the receiving Office for the filing of international applications; that language should be indicated in that check-box (as regards the language of the abstract and any text matter in the drawings, see Rule 26.3*ter*(a) and (b); as regards the language of the request, see Rules 12.1(c) and 26.3*ter*(c) and (d)). Note that where the international application is filed with the United States Patent and Trademark Office as receiving Office, all elements of the international application (request, description, claims, abstract, text matter of drawings) must, for the purposes of according an international filing date, be in English except that the free text in any sequence listing part of the description, complying with the standard set out in Annex C of the Administrative Instructions, may be in a language other than English.

BOX No. X

Signature (Rules 4.1(d), 4.15, 26.2*bis*(a), 51*bis*.1(a)(vi), and 90): The signature must be that of the applicant; if there are several applicants, all must sign. However, if the signature of one or more of the applicants is missing, the receiving Office will not invite the applicant to furnish the missing signature(s) provided that at least one of the applicants signed the request.

Important: Should a notice of withdrawal be filed at any time during the international phase, that notice will have to be signed by the applicant or, if there are two or more applicants by all of them (Rule 90*bis*.5), or by an agent or a common representative whose appointment has been effected by each applicant signing, at his choice, the request, the demand, a separate power of attorney (Rule 90.4(a)) or a general power of attorney (Rule 90.5(a)).

Furthermore, for the purposes of the national phase processing, each designated Office will be entitled to require the applicant to furnish the confirmation of the international application by the signature of any applicant for the designated State concerned, who has not signed the request.

Where the signature on the request is not that of the applicant but that of the agent, or the common representative, a separate power of attorney appointing the agent or the common representative, respectively, or a copy of a general

power of attorney already in the possession of the receiving Office, must be furnished. The power of attorney must be signed by the applicant, or if there is more than one applicant, by at least one of them. If the power is not filed with the request, the receiving Office will invite the applicant to furnish it, unless it has waived the requirement for a separate power of attorney (for details about each receiving Office, see the *PCT Applicant's Guide*, Annex C).

SUPPLEMENTAL BOX

The cases in which the Supplemental Box may be used and the manner of making indications in it are explained in the left column of that Box.

Items 2 and 3: Even if an indication is made in respect of items 2 and 3 under Rule 49*bis*.1(a), (b) or (d), the applicant will be required to make an indication to this effect upon entry into the national phase before the designated offices concerned.

If the applicant wishes to specify that the international application be treated in any designated State as an application for a utility model, see Notes to Box No. V.

GENERAL REMARKS

Language of Correspondence (Rule 92.2 and Section 104): Any letter from the applicant to the receiving Office must be in the language of filing of the international application provided that, where the international application is to be published in the language of a translation required under Rule 12.3, such letter should be in the language of that translation; however, the receiving Office may authorize the use of another language.

Any letter from the applicant to the International Bureau must be in the same language as the international application if that language is English or French; otherwise, it must be in English or French, at the choice of the applicant.

Any letter from the applicant to the ISA must be in the same language as the international application, provided that, where a translation of the international application for the purposes of international search has been transmitted under Rule 23.1(b), such letter is in the language of that translation. However, the ISA may authorize the use of another language.

Arrangement of Elements and Numbering of Sheets of the International Application (Rule 11.7 and Section 207): The elements of the international application must be placed in the following order: the request, the description (excluding the sequence listing part, if any), the claim(s), the abstract, the drawings (if any), the sequence listing part of the description (if any).

All sheets of the description (excluding the sequence listing part), claims and abstract must be numbered in consecutive Arabic numerals, which must be placed at the top or bottom of the sheet, in the middle, but not in the margin which must remain blank. The number of each sheet of the drawings must consist of two Arabic numerals separated by an oblique stroke, the first being the sheet number and the second being the total number of sheets of drawings (for example, 1/3, 2/3, 3/3). For numbering of the sheets of the sequence listing part of the description, see Section 207.

Indication of the Applicant's or Agent's File Reference on the sheets of the description (excluding the sequence listing part, if any), claim(s), abstract, drawings and sequence listing part of the description (Rule 11.6(f)): The file reference indicated on the request may also be indicated in the left-hand corner of the top margin, within 1.5 cm from the top of any sheet of the international application.

This sheet is not part of and does not count as a sheet of the international application.

PCT

FEE CALCULATION SHEET Annex to the Request

For receiving Office use only

International Application No. _____

Date stamp of the receiving Office _____

Applicant's or agent's
file reference _____

Applicant _____

CALCULATION OF PRESCRIBED FEES

1. TRANSMITTAL FEE _____ T

2. SEARCH FEE _____ S

International search to be carried out by _____
(If two or more International Searching Authorities are competent to carry out the international search, indicate the name of the Authority which is chosen to carry out the international search.)

3. INTERNATIONAL FILING FEE

Enter total number of sheets indicated in Box No IX: _____

i1 first 30 sheets _____ i1

i2 _____ x _____ = _____ i2
number of sheets in excess of 30 fee per sheet

Add amounts entered at i1 and i2 and enter total at I _____ I

(Applicants from certain States are entitled to a reduction of 90% of the international filing fee. Where the applicant is (or all applicants are) so entitled, the total to be entered at I is 10% of the international filing fee.)

4. FEE FOR PRIORITY DOCUMENT (if applicable) _____ P

5. FEE FOR RESTORATION OF THE RIGHT OF PRIORITY (if applicable) . _____ RP

6. FEE FOR EARLIER SEARCH DOCUMENTS (if applicable) _____ ES

7. TOTAL FEES PAYABLE _____
Add amounts entered at T, S, I, P, RP and ES,
and enter total in the TOTAL box

TOTAL

MODE OF PAYMENT (Not all modes of payment may be available at all receiving Offices)

- | | | | |
|---|---|--|---|
| <input type="checkbox"/> authorization to charge deposit or current account (see below) | <input type="checkbox"/> postal money order | <input type="checkbox"/> credit card (details should be furnished separately and not included on this sheet) | <input type="checkbox"/> cash |
| <input type="checkbox"/> check | <input type="checkbox"/> bank transfer | <input type="checkbox"/> revenue stamps | <input type="checkbox"/> other (specify): _____ |

AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT OR CURRENT ACCOUNT

(This mode of payment may not be available at all receiving Offices)

- Authorization to charge the total fees indicated above.
- (This check-box may be marked only if the conditions for deposit or current accounts of the receiving Office so permit)* Authorization to charge any deficiency or credit any overpayment in the total fees indicated above.
- Authorization to charge the fee for priority document.

Receiving Office: RO/ _____

Deposit or Current Account No.: _____

Date: _____

Name: _____

Signature: _____

This sheet is not part of and does not count as a sheet of the international application.

PCT

FEE CALCULATION SHEET

(If a reduced fee applies, the reduced fee amount should be indicated)

Annex to the Request

For receiving Office use only

International Application No. _____

Date stamp of the receiving Office _____

Applicant's or agent's
file reference _____

Applicant _____

CALCULATION OF PRESCRIBED FEES

1. TRANSMITTAL FEE: T

2. SEARCH FEE: S

International search to be carried out by: _____

3. INTERNATIONAL FILING FEE

Enter total number of sheets indicated in Box No IX: _____

i1 Fixed amount for the first 30 sheets i1

i2 _____ x _____ = i2
number of sheets fee per sheet
in excess of 30

Add amounts entered at i1 and i2 and enter total at I: I

(Applicants from certain States are entitled to a reduction of 90% of the international filing fee (see http://www.wipo.int/pct/en/fees/fee_reduction.pdf). Where the applicant is (or all applicants are) so entitled, the total to be entered at I is 10% of the international filing fee.)

4. FEE FOR PRIORITY DOCUMENT (if applicable): P

5. FEE FOR RESTORATION OF THE RIGHT OF PRIORITY (if applicable): RP

6. FEE FOR EARLIER SEARCH DOCUMENTS (if applicable): ES

7. TOTAL FEES PAYABLE
Add amounts entered at T, S, I (i1+i2), P, RP and ES,
and enter total in the TOTAL box

TOTAL

MODE OF PAYMENT (Not all modes of payment may be available at all receiving Offices)

credit card (details should not be included on this sheet) authorization to charge deposit or current account (see below) bank transfer cash

postal money order check revenue stamps other (specify): _____

AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT OR CURRENT ACCOUNT

(This mode of payment may not be available at all receiving Offices)

- Authorization to charge the total fees indicated above.
- (This check-box may be marked only if the conditions for deposit or current accounts of the receiving Office so permit)* Authorization to charge any deficiency or credit any overpayment in the total fees indicated above.
- Authorization to charge the fee for priority document.

Receiving Office: RO/ _____

Deposit or Current Account No.: _____

Date: _____

Name: _____

Signature: _____

**NOTES TO THE FEE CALCULATION SHEET
(ANNEX TO FORM PCT/RO/101)**

The purpose of the fee calculation sheet is to help the applicant to identify the prescribed fees and to calculate the amounts to be paid. It is strongly recommended that the applicant complete the sheet by entering the appropriate amounts in the boxes provided and submit the fee calculation sheet at the time of filing the international application. This will help the receiving Office to verify the calculations and to identify any error in them.

Information about the applicable fees payable can be obtained from the receiving Office. The amounts of the international filing and search fees may change due to currency fluctuations. Applicants are advised to check what are the latest applicable amounts. All fees, must be paid within one month from the date of receipt of the international application.

CALCULATION OF PRESCRIBED FEES

Box T: Transmittal Fee for the benefit of the receiving Office (Rule 14.1): The amount of the transmittal fee, if any, is fixed by the receiving Office. It must be paid within one month from the date of receipt of the international application by the receiving Office. Information about this fee is contained in the *PCT Applicant's Guide*, Annex C.

Box S: Search Fee for the benefit of the International Searching Authority (ISA) (Rule 16.1): The amount of the search fee is fixed by the ISA. It must be paid within one month from the date of receipt of the international application by the receiving Office. Information about this fee is contained in the *PCT Applicant's Guide*, Annex D.

Where two or more ISAs are competent, the applicant must indicate his choice in the space provided for this purpose and pay the amount of the international search fee fixed by the ISA chosen. Information on the competent ISA and whether the applicant has a choice between two or more ISAs is contained in the *PCT Applicant's Guide*, Annex C.

Box I: International Filing Fee: The amount of the international filing fee depends on the number of sheets of the international application indicated in Box No. IX of the request as explained below.

That number is the **Total number of sheets** indicated in Box No. IX of the request, which includes the actual number of sheets of the sequence listing part of the description, if the listing is filed on paper and not as an Annex C/ST.25 text file.

For EFS-Web filing with RO/US

Nucleotide and/or amino acid sequences: via EFS-Web: Where the international application is filed via EFS-Web and contains a sequence listing filed in an Annex C/ST.25 text file, even when, due to the size of the text file, the sequence listing has to be submitted on a data carrier, no fee is due for filing the sequence listing.

Where the sequences listing is an image file (e.g. PDF) the actual number of sheets that make up this part of the description must be included.

The international filing fee must be paid within one month from the date of receipt of the international application by the receiving Office.

~~**Reduction of the International Filing Fee Where PCT-SAFE Software Is Used in PCT-EASY Mode:** A fee reduction of 100 Swiss francs (or the equivalent in the currency in which the international filing fee is paid to the receiving Office) is available in certain cases where the PCT-SAFE software is used to prepare the request, provided that the necessary conditions are met. For further details, see the *PCT Applicant's Guide*, International Phase and Annex C, as well as information~~

~~published in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*. Since applicants using the PCT-SAFE software will file the Request Form and Fee Calculation Sheet in the form of a printout prepared using that software in PCT-EASY mode, no provision is made for this fee reduction in the Fee Calculation Sheet annexed to Form PCT/RO/101.~~

Reduction of the International Filing Fee Where the International Application Is Filed in Electronic Form:

Where the international application is filed in electronic form, the total amount of the international filing fee is reduced depending on the electronic formats used. The international filing fee is reduced by: 100 Swiss francs (or the equivalent in the currency in which the international filing fee is paid to the receiving Office) in respect of international applications where the request is not in character coded format (see PCT Schedule of Fees, item 4(b)); 200 Swiss francs (or the equivalent in the currency in which the international filing fee is paid to the receiving Office) where the request is in character coded format (see PCT Schedule of Fees, item 4(c)); and 300 Swiss francs (or the equivalent in the currency in which the international filing fee is paid to the receiving Office) where the request, description, claims and abstract are all in character coded format (see PCT Schedule of Fees, item 4(d)). For further details, see the *PCT Applicant's Guide*, International Phase and Annex C, as well as information published in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*. Since international applications filed in electronic form will contain the Request Form and Fee Calculation Sheet in such electronic form, no provision is made for this fee reduction in the Fee Calculation Sheet annexed to Form PCT/RO/101.

Reduction of the International Filing Fee for Applicants from Certain States:

An applicant who is a natural person and who is a national of and resides in a State ~~whose per capita national income is below 3,000 US dollars (according to the average per capita national income figures used by the United Nations for determining its scale of assessments for the contributions payable for the years 1995, 1996 and 1997), or who is a national of and resides in one of the following States: Antigua and Barbuda, Bahrain, Barbados, the Libyan Arab Jamahiriya, Oman, the Seychelles, Singapore, Trinidad and Tobago and the United Arab Emirates; or an applicant, whether a natural person or not, who is a national of and resides in a State that is classed as a least developed country by the United Nations,~~ is entitled, in accordance with the Schedule of Fees, to a reduction of 90% of certain PCT fees including the international filing fee. If there are several applicants, each must satisfy the above-mentioned criteria. The reduction of the international filing fee will be automatically available to any applicant (or applicants) who is (or are) so entitled on the basis of the indications of name, nationality and residence given in Boxes Nos. II and III of the request.

The fee reduction is available even if one or more of the applicants are not from PCT Contracting States, provided that each of them is a national and resident of a State that meets the above-mentioned requirements and that at least one of the applicants is a national or resident of a PCT Contracting State and thus is entitled to file an international application.

**NOTES TO THE FEE CALCULATION SHEET
(ANNEX TO FORM PCT/RO/101)**

The purpose of the fee calculation sheet is to help the applicant to identify the prescribed fees and to calculate the amounts to be paid. It is strongly recommended that the applicant complete the sheet by entering the appropriate amounts in the boxes provided and submit the fee calculation sheet at the time of filing the international application. This will help the receiving Office to verify the calculations and to identify any error in them.

Information about the applicable fees payable can be obtained from the receiving Office and the International Bureau at <http://www.wipo.int/pct/en/fees.pdf>. The amounts of the international filing and search fees may change due to currency fluctuations. Applicants are advised to check what are the latest applicable amounts. All fees, must be paid within one month from the date of receipt of the international application.

CALCULATION OF PRESCRIBED FEES

Box T: Transmittal Fee for the benefit of the receiving Office (Rule 14.1): The amount of the transmittal fee, if any, is fixed by the receiving Office. It must be paid within one month from the date of receipt of the international application by the receiving Office. Information about this fee is contained in the *PCT Applicant's Guide*, Annex C.

Box S: Search Fee for the benefit of the International Searching Authority (ISA) (Rule 16.1): The amount of the search fee is fixed by the ISA. It must be paid within one month from the date of receipt of the international application by the receiving Office. Information about this fee is contained in the *PCT Applicant's Guide*, Annex D.

Where two or more ISAs are competent, the applicant must indicate his choice in the space provided for this purpose and pay the amount of the international search fee fixed by the ISA chosen. Information on the competent ISA and whether the applicant has a choice between two or more ISAs is contained in the *PCT Applicant's Guide*, Annex C.

Box I: International Filing Fee: The amount of the international filing fee depends on the number of sheets of the international application indicated in Box No. IX of the request as explained below.

That number is the **Total number of sheets** indicated in Box No. IX of the request, which includes the actual number of sheets of the sequence listing part of the description, if the listing is filed on paper and not as an Annex C/ST.25 text file.

For EFS-Web filing with RO/US

Nucleotide and/or amino acid sequences: via EFS-Web: Where the international application is filed via EFS-Web and contains a sequence listing filed in an Annex C/ST.25 text file, even when, due to the size of the text file, the sequence listing has to be submitted on a data carrier, no fee is due for filing the sequence listing.

Where the sequences listing is an image file (e.g. PDF) the actual number of sheets that make up this part of the description must be included.

The international filing fee must be paid within one month from the date of receipt of the international application by the receiving Office.

Reductions: Applicants may be entitled to reductions to certain fees, which are indicated in the **PCT Fee Tables** (<http://www.wipo.int/pct/en/fees.pdf>) and the relevant Annex C of the *PCT Applicants Guide*. If reduced fees apply, the reduced amount should be indicated in the fee calculation sheet. These include reductions that apply where the international application is filed in electronic form and/or if the

applicant is a natural person from certain States. These two types of fees reduction are fully explained below.

Reduction of the International Filing Fee Where the International Application Is Filed in Electronic Form:

Where the international application is filed in electronic form, the total amount of the international filing fee is reduced depending on the electronic formats used. The international filing fee is reduced by: 100 Swiss francs (or the equivalent in the currency in which the international filing fee is paid to the receiving Office) in respect of international applications where the request is not in character coded format (see PCT Schedule of Fees, item 4(b)); 200 Swiss francs (or the equivalent in the currency in which the international filing fee is paid to the receiving Office) where the request is in character coded format (see PCT Schedule of Fees, item 4(c)); and 300 Swiss francs (or the equivalent in the currency in which the international filing fee is paid to the receiving Office) where the request, description, claims and abstract are all in character coded format (see PCT Schedule of Fees, item 4(d)). For further details, see the *PCT Applicant's Guide*, International Phase and Annex C, as well as information published in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*. Since international applications filed in electronic form will contain the Request Form and Fee Calculation Sheet in such electronic form, no provision is made for this fee reduction in the Fee Calculation Sheet annexed to Form PCT/RO/101.

Reduction of the International Filing Fee for Applicants from Certain States:

An applicant who is a natural person and who is a national of and resides in a State that is listed as being a State whose per capita gross domestic product is below US\$ 25,000 (according to the most recent ten year average per capita gross domestic product figures at constant 2005 US\$ values published by the United Nations), and whose nationals and residents who are natural persons have filed less than 10 international applications per year (per million population) or 50 international applications per year (in absolute numbers) according to the most recent 5-year average yearly filing figures published by the International Bureau; or an applicant, whether a natural person or not, who is a national of and resides in a State that is listed as being classified by the United Nations as a least developed country, is entitled, in accordance with the Schedule of Fees, to a reduction of 90% of certain PCT fees including the international filing fee. If there are several applicants, each must satisfy the above-mentioned criteria. The reduction of the international filing fee will be automatically available to any applicant (or applicants) who is (or are) so entitled on the basis of the indications of name, nationality and residence given in Boxes Nos. II and III of the request.

The fee reduction is available even if one or more of the applicants are not from PCT Contracting States, provided that each of them is a national and resident of a State that meets the above-mentioned requirements and that at least one of the applicants is a national or resident of a PCT Contracting State and thus is entitled to file an international application.

Information about PCT Contracting States whose nationals and residents are entitled to a reduction of 90% of certain PCT fees, including the international filing fee, is contained in the *PCT Applicant's Guide*, Annex C and on the WIPO website (see www.wipo.int/pct/en/), and is also published and regularly updated in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*.

Calculation of the International Filing Fee in Case of Fee Reduction: Where the applicant is (or all applicants are) entitled to a reduction of the international filing fee, the total to be entered in box I is 10% of the international filing fee (see below).

Box P: Fee for Priority Document (Rule 17.1(b)): Where the applicant has requested, by marking the applicable check-box in Box No. VI of the request, that the receiving Office prepare and transmit to the International Bureau a certified copy of the earlier application the priority of which is claimed, the amount of the fee prescribed by the receiving Office for such service may be entered (for information, see the *PCT Applicant's Guide*, Annex C).

If that fee is not paid at the latest before the expiration of 16 months from the priority date, the receiving Office may consider the request under Rule 17.1(b) as not having been made.

Box RP: Fee for the restoration of the right of priority (Rule 26bis.3(d)): Where the applicant has requested within the applicable time limit under Rule 26bis.3(e) that the receiving Office restore the right of priority in connection with any earlier application the priority of which is claimed in the international application, the amount of the fee prescribed by the receiving Office for such service may be entered (for information, see the *PCT Applicant's Guide*, Annex C).

Box ES: Fee for earlier search documents (Rule 12bis.1(c)): Where the applicant has requested, by marking the appropriate check-box in Box No. VII of the request, that the receiving Office prepare and transmit to the ISA copies of the documents in connection with an earlier search, the results of which are requested by the applicant to be taken into consideration by the ISA (such a request may only be filed if the earlier search was carried out by the same Office as that which is acting as the receiving Office (Rule 12bis.1(c))), the amount of the fee prescribed by the receiving Office for such service may be entered (for information, see the *PCT Applicant's Guide*, Annex C).

Total Box: The total of the amounts entered in boxes T, S, I, P, RP and ES should be entered in this box. If the applicant so wishes, the currency, or currencies, in which the fees are paid may be indicated next to or in the total box.

MODE OF PAYMENT

In order to help the receiving Office identify the mode of payment of the prescribed fees, it is recommended that the applicable check-box(es) be marked. Credit card details should not be included on the fee calculation sheet. They should be furnished separately and by secure means acceptable to the receiving Office.

AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT OR CURRENT ACCOUNT

The receiving Office will not charge (or credit) fees to deposit or current accounts unless the deposit or current account authorization is signed and indicates the deposit or current account number.

Information about PCT Contracting States whose nationals and residents are entitled to a reduction of 90% of certain PCT fees, including the international filing fee, is contained in the *PCT Applicant's Guide*, Annex C and on the WIPO website (see <http://www.wipo.int/pct/en/>), and is also published and regularly updated in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*.

Calculation of the International Filing Fee in Case of Fee Reduction: Where the applicant is (or all applicants are) entitled to a reduction of the international filing fee, the total to be entered in box I is 10% of the international filing fee (see below).

Box P: Fee for Priority Document (Rule 17.1(b)): Where the applicant has requested, by marking the applicable check-box in Box No. VI of the request, that the receiving Office prepare and transmit to the International Bureau a certified copy of the earlier application the priority of which is claimed, the amount of the fee prescribed by the receiving Office for such service may be entered (for information, see the *PCT Applicant's Guide*, Annex C).

If that fee is not paid at the latest before the expiration of 16 months from the priority date, the receiving Office may consider the request under Rule 17.1(b) as not having been made.

Box RP: Fee for the restoration of the right of priority (Rule 26bis.3(d)): Where the applicant has requested within the applicable time limit under Rule 26bis.3(e) that the receiving Office restore the right of priority in connection with any earlier application the priority of which is claimed in the international application, the amount of the fee prescribed by the receiving Office for such service may be entered (for information, see the *PCT Applicant's Guide*, Annex C).

Box ES: Fee for earlier search documents (Rule 12bis.1(c)): Where the applicant has requested, by marking the appropriate check-box in Box No. VII of the request, that the receiving Office prepare and transmit to the ISA copies of the documents in connection with an earlier search, the results of which are requested by the applicant to be taken into consideration by the ISA (such a request may only be filed if the earlier search was carried out by the same Office as that which is acting as the receiving Office (Rule 12bis.1(c))), the amount of the fee prescribed by the receiving Office for such service may be entered (for information, see the *PCT Applicant's Guide*, Annex C).

Total Box: The total of the amounts entered in boxes T, S, I, P, RP and ES should be entered in this box. If the applicant so wishes, the currency, or currencies, in which the fees are paid may be indicated next to or in the total box.

MODE OF PAYMENT

In order to help the receiving Office identify the mode of payment of the prescribed fees, it is recommended that the applicable check-box(es) be marked. Credit card details should not be included on the fee calculation sheet. They should be furnished separately and by secure means acceptable to the receiving Office.

AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT OR CURRENT ACCOUNT

The receiving Office will not charge (or credit) fees to deposit or current accounts unless the deposit or current account authorization is signed and indicates the deposit or current account number.

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PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCT

NOTIFICATION CONCERNING PAYMENT
OF PRESCRIBED FEES

(PCT Rules 12*bis*.1(c), 14, 15 and 16
and Administrative Instructions,
Sections 102*bis*(c), 304, 323(b) and 707)

To:		
Applicant's or agent's file reference		Date of mailing (day/month/year)
International application No.		International filing date/Date of receipt (day/month/year)
Applicant		Priority date (day/month/year)
		PAYMENT DUE see item 3 for time limits

1. The applicant is hereby notified that this receiving Office has received:

the payment of all the prescribed fees, and **an overpayment**, which will be refunded in due course.

no or insufficient payment of the prescribed fees and the applicant is hereby **invited to pay the balance due**, as summarized under item 2, within the time limit(s) indicated under item 3.

2. **Fees and payment calculation:**

_____	-	_____	=	_____
Total fees payable		Amount paid		Balance

The details of the calculation are given in the Annex.

3. **Time limit(s) for payment and amount(s) payable (Rules 14.1, 15.3 and 16.1(f)):**

within ONE MONTH from the date of receipt of the international application (**for the transmittal fee** (if any), **the search fee** and **the international filing fee**). The amount payable for each fee is the amount applicable on the date of receipt of the international application.

within 16 MONTHS from the priority date (only for the fee for priority document). The applicant's attention is drawn to the fact that the request made by the applicant under Rule 17.1(b) will be considered not to have been made unless the fee is paid within that time limit.

4. **Additional observations (if necessary):**

The search copy will not be transmitted to the International Searching Authority until the search fee is paid (therefore the start of the international search will be delayed) (Rule 23.1(a) and (b)).

Name and mailing address of the receiving Office	Authorized officer
Facsimile No.	Telephone No.

Annex to circular C. PCT 1443
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PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCT

NOTIFICATION CONCERNING PAYMENT
OF PRESCRIBED FEES

(PCT Rules 12*bis*.1(c), 14, 15 and 16
and Administrative Instructions,
Sections 102*bis*(c), 304, 323(b) and 707)

To:			
		Date of mailing (day/month/year)	
Applicant's or agent's file reference		PAYMENT DUE see item 3 for time limits	
International application No.	International filing date/Date of receipt (day/month/year)	Priority date (day/month/year)	
Applicant			

1. The applicant is hereby notified that this receiving Office has received:

the payment of all the prescribed fees, and **an overpayment**, which will be refunded in due course.

no or insufficient payment of the prescribed fees and the applicant is hereby **invited to pay the balance due**, as summarized under item 2, within the time limit(s) indicated under item 3.

2. **Fees and payment calculation:**

_____	-	_____	=	_____
Total fees payable		Amount paid		Balance

The details of the calculation are given in the Annex.

3. **Time limit(s) for payment and amount(s) payable (Rules 14.1, 15.3 and 16.1(f)):**

within ONE MONTH from the date of receipt of the international application (**for the transmittal fee** (if any), **the search fee** and **the international filing fee**). The amount payable for each fee is the amount applicable on the date of receipt of the international application.

within 16 MONTHS from the priority date (only for the fee for priority document). The applicant's attention is drawn to the fact that the request made by the applicant under Rule 17.1(b) will be considered not to have been made unless the fee is paid within that time limit.

4. **Additional observations (if necessary):**

The search copy will not be transmitted to the International Searching Authority until the search fee is paid (therefore the start of the international search will be delayed) (Rule 23.1(a) and (b)).

Name and mailing address of the receiving Office	Authorized officer
Facsimile No.	Telephone No.

**ANNEX TO FORM PCT/RO/102
CALCULATION OF THE PRESCRIBED FEES**

International application No. _____

T Transmittal Fee

Prescribed amount:	_____	T	<input type="checkbox"/> correct amount
Amount paid:	- _____		<input type="checkbox"/> overpayment
Balance:	= _____		<input type="checkbox"/> balance due

S Search Fee

Prescribed amount:	_____	S	<input type="checkbox"/> correct amount
Amount paid:	- _____		<input type="checkbox"/> overpayment
Balance:	= _____		<input type="checkbox"/> balance due

I International Filing Fee

Fixed amount for first 30 sheets:	_____	i1
_____ x _____ = _____		i2
Number of sheets in excess of 30	Fee per sheet	

(excluding pages referred to in Section 707(a-bis))

Reduction where the international application is filed
(See PCT Applicant's Guide, International Phase for details on the availability of this reduction):

~~on paper together with a copy in electronic form, in character coded format, of the request and the abstract~~ **r**

~~or~~
in electronic form, the request not being in character coded format **r**

or
in electronic form, the request being in character coded format **r**

or
in electronic form, the request, description, claims and abstract being in character coded format **r**

Sub-total: = _____ **i1+i2-r**

Applicants from certain States are entitled to a reduction of 90% of the international filing fee. Where the applicant is (or all applicants are) so entitled, the total to be entered at I is 10% of the sub-total entered at (i1+i2-r); (see Notes to the Fee Calculation Sheet as annexed to the Request Form, PCT/RO/101, for details): **I**

Amount paid:	- _____		<input type="checkbox"/> correct amount
Balance:	= _____		<input type="checkbox"/> overpayment
			<input type="checkbox"/> balance due

P Fee for Priority Document

Prescribed amount:	_____	P	<input type="checkbox"/> correct amount
Amount paid:	- _____		<input type="checkbox"/> overpayment
Balance:	= _____		<input type="checkbox"/> balance due

ES Fee for Earlier Search Documents

Prescribed amount:	_____	ES	<input type="checkbox"/> correct amount
Amount paid:	- _____		<input type="checkbox"/> overpayment
Balance:	= _____		<input type="checkbox"/> balance due

**ANNEX TO FORM PCT/RO/102
CALCULATION OF THE PRESCRIBED FEES**

(If a reduced fee has been applied, the reduced amount is indicated.)

International application No.

T Transmittal Fee

Prescribed amount:	_____ T	<input type="checkbox"/> correct amount
Amount paid:	- _____	<input type="checkbox"/> overpayment
Balance:	= _____	<input type="checkbox"/> balance due

S Search Fee

Prescribed amount:	_____ S	<input type="checkbox"/> correct amount
Amount paid:	- _____	<input type="checkbox"/> overpayment
Balance:	= _____	<input type="checkbox"/> balance due

I International Filing Fee

Fixed amount for first 30 sheets:	_____ i1
_____ x _____ = _____ i2	
Number of sheets in excess of 30 (excluding pages referred to in Section 707(a-bis))	Fee per sheet

Reduction where the international application is filed
(See PCT Applicant's Guide, International Phase for details on the availability of this reduction):

in electronic form, the request not being in character coded format	- _____ r
or	
in electronic form, the request being in character coded format	- _____ r
or	
in electronic form, the request, description, claims and abstract being in character coded format	- _____ r

Sub-total:	= _____ i1+i2-r
----------------------	------------------------

Applicants from certain States are entitled to a reduction of 90% of the international filing fee. Where the applicant is (or all applicants are) so entitled, the total to be entered at I is 10% of the sub-total entered at (i1+i2-r); (see Notes to the Fee Calculation Sheet as annexed to the Request Form, PCT/RO/101, for details):

_____ = _____ I	<input type="checkbox"/> correct amount	
Amount paid:	- _____	<input type="checkbox"/> overpayment
Balance:	= _____	<input type="checkbox"/> balance due

P Fee for Priority Document

Prescribed amount:	_____ P	<input type="checkbox"/> correct amount
Amount paid:	- _____	<input type="checkbox"/> overpayment
Balance:	= _____	<input type="checkbox"/> balance due

ES Fee for Earlier Search Documents

Prescribed amount:	_____ ES	<input type="checkbox"/> correct amount
Amount paid:	- _____	<input type="checkbox"/> overpayment
Balance:	= _____	<input type="checkbox"/> balance due

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PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCT

INVITATION TO PAY PRESCRIBED FEES
TOGETHER WITH LATE PAYMENT FEE

(PCT Rule 16*bis* and
Administrative Instructions, Section 707)

To:	
	Date of mailing (day/month/year)
Applicant's or agent's file reference	PAYMENT DUE within ONE MONTH from the above date of mailing
International application No.	International filing date/Date of receipt (day/month/year)
Applicant	

<p>1. This receiving Office has found that the prescribed fees (i.e., transmittal fee, search fee and international filing fee) have not been paid (in full), within one month from the date of receipt of the international application (Rules 14, 15 and 16). See below for details of the calculation.</p> <p>2. The applicant is hereby invited, within the time limit indicated above, to pay the following total amount (see the Annex for details):</p> <p style="text-align: center;"> _____ + _____ = _____ Total unpaid fees Late payment fee Total amount due </p> <p>3. Failure to pay the total amount due within the time limit indicated above may result in the international application being considered withdrawn by this receiving Office.</p> <p>The applicant's attention is drawn to Rules 16<i>bis</i>.1(c) and 29.</p> <p>4. Additional observations (if any):</p> <p><input type="checkbox"/> the amount of _____ was received by this receiving Office after the expiration of the applicable time limit; the total amount due indicated above is correspondingly reduced</p> <p><input type="checkbox"/> other observations:</p>	
A copy of this Invitation is being sent to the International Bureau.	

Name and mailing address of the receiving Office	Authorized officer
Facsimile No.	Telephone No.

Annex to circular C. PCT 1443
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PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCT

INVITATION TO PAY PRESCRIBED FEES
TOGETHER WITH LATE PAYMENT FEE

(PCT Rule 16*bis* and
Administrative Instructions, Section 707)

To:	
	Date of mailing (day/month/year)
Applicant's or agent's file reference	PAYMENT DUE within ONE MONTH from the above date of mailing
International application No.	International filing date/Date of receipt (day/month/year)
Applicant	

1. This receiving Office has found that the prescribed fees (i.e., transmittal fee, search fee and international filing fee) have not been paid (in full), within one month from the date of receipt of the international application (Rules 14, 15 and 16). See below for details of the calculation.
2. The applicant is hereby **invited**, within the time limit indicated above, **to pay the following total amount** (see the Annex for details):

_____	+	_____	=	_____
Total unpaid fees		Late payment fee		Total amount due

3. **Failure to pay** the total amount due within the time limit indicated above may result in the international application being considered withdrawn by this receiving Office.

The applicant's attention is drawn to Rules 16*bis*.1(c) and 29.

4. Additional observations (if any):

the amount of _____ was received by this receiving Office after the expiration of the applicable time limit; the total amount due indicated above is correspondingly reduced

other observations:

A copy of this Invitation is being sent to the International Bureau.

Name and mailing address of the receiving Office	Authorized officer
Facsimile No.	Telephone No.

**ANNEX TO FORM PCT/RO/133
CALCULATION OF THE PRESCRIBED FEES**

International application No.

T Transmittal Fee

Prescribed amount:	_____	T	<input type="checkbox"/> correct amount
Amount paid:	- _____		<input type="checkbox"/> overpayment
Balance:	= _____		<input type="checkbox"/> balance due

S Search Fee

Prescribed amount:	_____	S	<input type="checkbox"/> correct amount
Amount paid:	- _____		<input type="checkbox"/> overpayment
Balance:	= _____		<input type="checkbox"/> balance due

I International Filing Fee

Fixed amount for first 30 sheets:	_____	i1
_____ x _____ = _____		i2
Number of sheets in excess of 30 (excluding pages referred to in Section 707(a-bis))	Fee per sheet	

Reduction where the international application is filed
(See PCT Applicant's Guide, International Phase for details on the availability of this reduction):

on paper together with a copy in electronic form, in character coded format, of the request and the abstract	- _____	r
or		
in electronic form, the request not being in character coded format	- _____	r
or		
in electronic form, the request being in character coded format	- _____	r
or		
in electronic form, the request, description, claims and abstract being in character coded format	- _____	r

Sub-total:	= _____	i1+i2-r
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Applicants from certain States are entitled to a reduction of 90% of the international filing fee. Where the applicant is (or all applicants are) so entitled, the total to be entered at I is 10% of the sub-total entered at (i1+i2-r); (see Notes to the Fee Calculation Sheet as annexed to the Request Form, PCT/RO/101, for details):

_____ = _____	I	<input type="checkbox"/> correct amount
Amount paid:	- _____	<input type="checkbox"/> overpayment
Balance:	= _____	<input type="checkbox"/> balance due

Late Payment Fee

The amount of the late payment fee corresponds to:

- 50% of total unpaid fees
- the transmittal fee (minimum amount of the late payment fee)
- 50% of the international filing fee, not taking into account any fee for each sheet of the international application in excess of 30 sheets (maximum amount of the late payment fee)

**ANNEX TO FORM PCT/RO/133
CALCULATION OF THE PRESCRIBED FEES**

International application No.

(If a reduced fee has been applied, the reduced amount is indicated.)

T Transmittal Fee

Prescribed amount:	_____ T	<input type="checkbox"/> correct amount
Amount paid:	- _____	<input type="checkbox"/> overpayment
Balance:	= _____	<input type="checkbox"/> balance due

S Search Fee

Prescribed amount:	_____ S	<input type="checkbox"/> correct amount
Amount paid:	- _____	<input type="checkbox"/> overpayment
Balance:	= _____	<input type="checkbox"/> balance due

I International Filing Fee

Prescribed amount:	
Fixed amount for first 30 sheets:	_____ i1
_____ x _____ = _____	i2
Number of sheets in excess of 30	Fee per sheet

*(excluding pages referred
to in Section 707(a-bis))*

Reduction where the international application is filed
*(See PCT Applicant's Guide, International Phase for
details on the availability of this reduction):*

in electronic form, the request not being in character coded format	- _____ r
or	
in electronic form, the request being in character coded format	- _____ r
or	
in electronic form, the request, description, claims and abstract being in character coded format	- _____ r

Sub-total:	= _____ i1+i2-r
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*Applicants from certain States are entitled to a reduction of 90% of the
international filing fee. Where the applicant is (or all applicants are) so
entitled, the total to be entered at I is 10% of the sub-total entered at
(i1+i2-r); (see Notes to the Fee Calculation Sheet as annexed to the
Request Form, PCT/RO/101, for details):*

_____ = _____ I	<input type="checkbox"/> correct amount
Amount paid:	- _____ <input type="checkbox"/> overpayment
Balance:	= _____ <input type="checkbox"/> balance due

Late Payment Fee

The amount of the late payment fee corresponds to:

- 50% of total unpaid fees
- the transmittal fee (minimum amount of the late payment fee)
- 50% of the international filing fee, not taking into account any fee for each sheet of the international application in excess of 30 sheets (maximum amount of the late payment fee)

The supplementary search request must be filed directly with the International Bureau. The full name or two-letter code of the Authority specified for supplementary search must be indicated by the applicant below:

AUTHORITY/ _____

PCT

SUPPLEMENTARY SEARCH REQUEST

Under Rule 45bis.1, the undersigned requests that a supplementary international search be carried out in respect of the international application specified below:

For International Bureau use only	
Identification of Authority	Date of receipt of Request
Box No. I IDENTIFICATION OF THE INTERNATIONAL APPLICATION	
Applicant's or agent's file reference	
International application No.	International filing date (<i>day/month/year</i>)
(Earliest) Priority date (<i>day/month/year</i>)	
Title of invention	
Box No. II APPLICANT	
Name and address: (<i>Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.</i>)	Telephone No.
	Facsimile No.
	Applicant's registration No. with the Office
<p>E-mail authorization: Marking one of the check-boxes below authorizes the International Bureau and the Authority specified for supplementary search to use the e-mail address indicated in this Box to send notifications issued in respect of this international application if those offices are willing to do so.</p> <p><input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent).</p> <p>E-mail address: _____</p>	
State (<i>that is, country</i>) of nationality:	State (<i>that is, country</i>) of residence:
Box No. III AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE	
<p>The following person is <input type="checkbox"/> agent <input type="checkbox"/> common representative</p> <p>and <input type="checkbox"/> has been appointed earlier and represents the applicant(s) also for the supplementary international search.</p> <p><input type="checkbox"/> is hereby appointed and any earlier appointment of (an) agent(s)/common representative is hereby revoked.</p> <p><input type="checkbox"/> is hereby appointed, specifically for the procedure before this Authority specified for supplementary search, in addition to the agent(s)/common representative appointed earlier.</p>	
Name and address: (<i>Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.</i>)	Telephone No.
	Facsimile No.
	Agent's registration No. with the Office
<p>E-mail authorization: Marking one of the check-boxes below authorizes the International Bureau and the Authority specified for supplementary search to use the e-mail address indicated in this Box to send notifications issued in respect of this international application if those offices are willing to do so.</p> <p><input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent).</p> <p>E-mail address: _____</p>	

The supplementary search request must be filed directly with the International Bureau. The full name or two-letter code of the Authority specified for supplementary search must be indicated by the applicant below:

AUTHORITY/_____

PCT

SUPPLEMENTARY SEARCH REQUEST

Under Rule 45bis.1, the undersigned requests that a supplementary international search be carried out in respect of the international application specified below:

For International Bureau use only	
Identification of Authority	Date of receipt of Request
Box No. I IDENTIFICATION OF THE INTERNATIONAL APPLICATION	
Applicant's or agent's file reference	
International application No.	International filing date (<i>day/month/year</i>)
(Earliest) Priority date (<i>day/month/year</i>)	
Title of invention	
Box No. II APPLICANT	
Name and address: (<i>Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.</i>)	Telephone No.
	Facsimile No.
	Applicant's registration No. with the Office
<p>E-mail authorization: Marking one of the check-boxes below authorizes the International Bureau and the Authority specified for supplementary search to use the e-mail address indicated in this Box to send notifications issued in respect of this international application if those offices are willing to do so.</p> <p><input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent).</p> <p>E-mail address: _____</p>	
State (<i>that is, country</i>) of nationality:	State (<i>that is, country</i>) of residence:
Box No. III AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE	
<p>The following person is <input type="checkbox"/> agent <input type="checkbox"/> common representative</p> <p>and <input type="checkbox"/> has been appointed earlier and represents the applicant(s) also for the supplementary international search.</p> <p><input type="checkbox"/> is hereby appointed and any earlier appointment of (an) agent(s)/common representative is hereby revoked.</p> <p><input type="checkbox"/> is hereby appointed, specifically for the procedure before this Authority specified for supplementary search, in addition to the agent(s)/common representative appointed earlier.</p>	
Name and address: (<i>Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.</i>)	Telephone No.
	Facsimile No.
	Agent's registration No. with the Office
<p>E-mail authorization: Marking one of the check-boxes below authorizes the International Bureau and the Authority specified for supplementary search to use the e-mail address indicated in this Box to send notifications issued in respect of this international application if those offices are willing to do so.</p> <p><input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent).</p> <p>E-mail address: _____</p>	

NOTES TO THE SUPPLEMENTARY SEARCH REQUEST FORM (PCT/IB/375)

These notes are intended to facilitate the filing of the supplementary search request form and to give some information concerning the supplementary international search. For more detailed information, see the *PCT Applicant's Guide*, a WIPO publication, which is available, together with other PCT related documents, on WIPO's website: www.wipo.int/pct/en/. The Notes are based on the requirements of the PCT, the Regulations and the Administrative Instructions under the PCT. In case of any discrepancy between these Notes and those requirements, the latter are applicable.

In the supplementary search request form and these Notes, "Article", "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the Administrative Instructions, respectively.

The supplementary search request form shall be typed or printed; check-boxes may be marked by hand with dark ink (Rules 11.9(a) and (b) and 11.14).

The supplementary search request form and these Notes may be downloaded from WIPO's website at the address given above.

IMPORTANT GENERAL INFORMATION

Which International Searching Authority can be selected to carry out a supplementary international search? Only an International Searching Authority which has stated its preparedness to carry out supplementary international searches (Rule 45bis.1(e)), and which is not carrying out the international search under Article 16(1) ("main search"), can be selected (Rule 45bis.9(b)). Information about which Authorities are prepared to carry out such searches and about any possible limitations and conditions is provided in the *PCT Applicant's Guide*, Annex SISA.

If the applicant wishes more than one supplementary international search to be carried out (Rule 45bis.1(a)), a separate request form should be submitted for each supplementary search requested.

Where must the supplementary search request be filed? (Rule 45bis.1). A supplementary search request must be filed with the International Bureau and not with the Authority specified for supplementary search. The International Bureau transmits the request to the Authority selected by the applicant once the requirements under Rule 45bis.1(b), (c)(i), 45bis.2(c) and 45bis.3(c) have been complied with, but not before the date of receipt by the International Bureau of the international search report or the expiration of 17 months from the priority date, whichever occurs first.

The Authority specified for supplementary search chosen by the applicant should be identified, preferably by an indication of the name or two-letter code of the Authority, at the top of the first sheet of the supplementary search request in the space provided for that purpose.

When must the supplementary search request be filed? (Rule 45bis.1(a)). The supplementary search request must be filed with the International Bureau prior to the expiration of 19 months from the priority date.

In which language must the supplementary search request be filed? (Rule 92.2(d)). The supplementary search request must be filed in either English or French.

What is the language of correspondence? (Rule 92.2(d) and Section 104). Any letter from the applicant to the International Bureau must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

What must the supplementary search request be accompanied by? Where neither the language in which the international application was filed nor that in which a translation (if any) has been furnished under Rule 12.3 or 12.4 is accepted by the Authority specified for supplementary search, a translation

of the international application into a language which is accepted by that Authority should be submitted together with the request.

If applicable, a copy of a sequence listing in electronic form complying with the standard provided for in the Administrative Instructions, if required by the Authority specified for supplementary search, should preferably be submitted together with the request.

Box No. I

Applicant's or Agent's file reference: A file reference may be indicated, if desired. It should not exceed 12 characters. Characters in excess of 12 may be disregarded (Section 109).

Identification of the international application: The international application number must be indicated in Box No. I.

International filing date and (earliest) priority date (Section 110): Dates must be indicated by the Arabic number of the day, the name of the month and the Arabic number of the year – in that order; after, below or above such indication, the date should be repeated in parentheses, using two-digit Arabic numerals each for the number of the day and for the number of the month followed by the number of the year in four digits, in that order, and separated by periods, slants or hyphens, for example, "24 March 2010 (24.03.2010)", "24 March 2010 (24/03/2010)" or "24 March 2010 (24-03-2010)". Where the international application claims the priority of several earlier applications, the filing date of the earliest application whose priority is claimed must be indicated as the priority date.

Title of the invention: If a new title has been established by the International Searching Authority, that title must be indicated in Box No. I.

Box No. II

Applicant (Rule 45bis.1(b)(i)): The applicant, or, if there is more than one applicant, at least one of the applicants must be indicated in the supplementary search request. Mark in Box No. II of the supplementary search request the same indications that are in Boxes No. II and III of the PCT Request. The Notes to the PCT Request apply *mutatis mutandis*.

Applicant's registration number with the Office: Where the applicant is registered with the national or regional Office that is acting as the Authority specified for supplementary search, the supplementary search request may indicate the number or other indication under which the applicant is so registered.

Telephone, Facsimile Number and/or E-mail address should be indicated for the person named in Box No. II in order to allow rapid communication with the applicant (see Rule 4.4(c)). Any telephone or facsimile number should include the applicable country and area codes. A single e-mail address only should be indicated.

NOTES TO THE SUPPLEMENTARY SEARCH REQUEST FORM (PCT/IB/375)

These notes are intended to facilitate the filing of the supplementary search request form and to give some information concerning the supplementary international search. For more detailed information, see the *PCT Applicant's Guide*, a WIPO publication, which is available, together with other PCT related documents, on WIPO's website: <http://www.wipo.int/pct/en/>. The Notes are based on the requirements of the PCT, the Regulations and the Administrative Instructions under the PCT. In case of any discrepancy between these Notes and those requirements, the latter are applicable.

In the supplementary search request form and these Notes, "Article", "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the Administrative Instructions, respectively.

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The Authority specified for supplementary search chosen by the applicant should be identified, preferably by an indication of the name or two-letter code of the Authority, at the top of the first sheet of the supplementary search request in the space provided for that purpose.

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What must the supplementary search request be accompanied by? Where neither the language in which the international application was filed nor that in which a translation (if any) has been furnished under Rule 12.3 or 12.4 is accepted by the Authority specified for supplementary search, a translation

of the international application into a language which is accepted by that Authority should be submitted together with the request.

If applicable, a copy of a sequence listing in electronic form complying with the standard provided for in the Administrative Instructions, if required by the Authority specified for supplementary search, should preferably be submitted together with the request.

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Title of the invention: If a new title has been established by the International Searching Authority, that title must be indicated in Box No. I.

Box No. II

Applicant (Rule 45bis.1(b)(i)): The applicant, or, if there is more than one applicant, at least one of the applicants must be indicated in the supplementary search request. Mark in Box No. II of the supplementary search request the same indications that are in Boxes No. II and III of the PCT Request. The Notes to the PCT Request apply *mutatis mutandis*.

Applicant's registration number with the Office: Where the applicant is registered with the national or regional Office that is acting as the Authority specified for supplementary search, the supplementary search request may indicate the number or other indication under which the applicant is so registered.

Telephone, Facsimile Number and/or E-mail address should be indicated for the person named in Box No. II in order to allow rapid communication with the applicant (see Rule 4.4(c)). Any telephone or facsimile number should include the applicable country and area codes. A single e-mail address only should be indicated.

Unless one of the check-boxes is marked, any e-mail address supplied will be used only for the types of communication which might be made by telephone. If one of the check-boxes is marked, the International Bureau and Authority specified for supplementary search may, if they wish to do so, send notifications in respect of the international application to the applicant, thus avoiding processing or postal delays. Note that not all Offices will send such notifications by e-mail (for details about each Office's procedure, see *PCT Applicant's Guide*, Annex B). If the first check-box is marked, any such e-mail notification will always be followed by the official notification on paper. Only that paper copy of the notification is considered the legal copy of the notification and only the date of mailing of that paper copy will commence any time limit within the meaning of Rule 80. If the second check-box is marked, the applicant requests the discontinuation of the sending of paper copies of notifications and acknowledges that the date of mailing indicated on the electronic copy will commence any time limit within the meaning of Rule 80.

Note that it is the applicant's responsibility to keep any e-mail address details up-to-date and to ensure that incoming e-mails are not blocked, for any reason, on the recipient's side. Changes to the e-mail address indicated should be requested to be recorded, preferably directly at the International Bureau, under Rule 92*bis*. Where the e-mail authorization is given both in respect of the applicant and in respect of an agent or common representative, the International Bureau and the Authority specified for supplementary search will send e-mail communications only to the appointed agent or common representative.

Box No. III

Agent or Common Representative (Rules 45*bis*.1(b)(i), 90.1 and 90.2): Mark the applicable check-boxes to indicate *first* whether the person named in this Box is agent or common representative, *then* whether that person *has been appointed earlier* (i.e., during the procedure under Chapter I), *or is appointed in the supplementary search request* and any earlier appointment of another person is revoked, *or is appointed specifically for the procedure before the Authority specified for supplementary search* (without revocation of any earlier appointment), in addition to the person(s) appointed earlier.

Where an additional person is appointed specifically for the procedure before the Authority specified for supplementary search, all notifications issued by that Authority will be addressed only to that additional person. A separate power of attorney must be filed with the Authority specified for supplementary search, the International Bureau or the receiving Office, if the person appointed at the time the supplementary search request is filed (i.e., was not appointed earlier) signs the supplementary search request on behalf of the applicant (Rule 90.4).

Agent's registration number with the Office: Where the agent is registered with the national or regional Office that is acting as Authority specified for supplementary search, the supplementary search request may indicate the number or other indication under which the agent is so registered.

E- mail address (see Notes to Box. No. II)

Address for correspondence Where an agent is appointed, any correspondence intended for the applicant will be sent to the address indicated for that agent (or for the first-mentioned agent, if more than one is appointed). Where one of two or more applicants is appointed as common representative, the address indicated for that applicant in Box No. III will be used. Where no agent or common representative is appointed, any correspondence will be sent to the address, indicated in Box No.II, of the applicant. However, if the applicant wishes correspondence to be sent to a different address in such a case, that address may be indicated in Box No.III instead of the designation of an agent or common representative. In this case, and only in this case, the last checkbox

of Box No. III must be marked (that is, the last check-box must not be marked if either of the check-boxes "agent" or "common representative" in Box No. III has been marked).

Box No. IV

Language for the supplementary international search: The language for the purposes of supplementary international search should be indicated in Box No. IV and it should be specified whether that language is that of the international application as filed, the language of the translation furnished for the purposes of international search (Rule 12.3), the language of the translation furnished for the purposes of publication of the international application (Rule 12.4) and/or the language of the translation to be furnished for the purposes of supplementary international search.

Where neither the language in which the international application was filed nor that in which a translation (if any) has been furnished under Rule 12.3 or 12.4 is accepted by the Authority specified for supplementary search, a translation of the international application into a language which is accepted by that Authority must be furnished with the supplementary search request.

Limitation of the supplementary international search to certain claims: The check-box should be marked where the International Searching Authority has found that the international application does not comply with the requirement of unity of invention and the applicant wishes to limit the supplementary international search to one of the inventions as identified by the International Searching Authority other than the main invention referred to in Article 17(3)(a). The claims relating to the invention selected and, where applicable, the number of the invention as identified by the International Searching Authority, should be indicated in the space provided. Note that where the international search report is available to the Authority specified for supplementary search before it starts the search, the Authority may exclude from the supplementary search any claims which were not the subject of the international search (Rule 45*bis*.5(d)).

Box No. V

Check list: It is recommended that this Box be filled in carefully in order for the Authority specified for supplementary search to determine, as soon as possible, whether it is in possession of the documents on the basis of which the applicant wishes supplementary international search to start. Where a translation of the international application must be furnished for the purposes of supplementary international search (Rule 45*bis*.1(c)(i)), check-Box No. 1 should be marked.

Where the international application contains disclosure of one or more nucleotide and/or amino acid sequences, and a copy of the sequence listing in the form of an Annex C/ST.25 text file is required by the Authority specified for supplementary search, the applicant should preferably furnish the listing in that form to the International Bureau with the supplementary search request (Rule 45*bis*.1(c)(ii)). If this is the case, check-box No.6 should be marked.

Box No. VI

Signature of applicant, agent or common representative (Rules 92.1, ~~90.3(a) and 90.4(a) and (d)~~): The supplementary search request must be signed by one of the applicants or by the agent (~~Rule 90.2(a) or (b)~~).

Important: Should a notice of withdrawal of the supplementary search request be filed, that notice will have to be signed by the applicant or, if there are two or more applicants by all of them (Rule 90*bis*.5(a)), or by an agent or a common representative whose appointment has been effected by each applicant signing, at his choice, the request, the request for supplementary search, the demand ~~or~~ a separate power of attorney (Rule 90.4(a)).

Unless one of the check-boxes is marked, any e-mail address supplied will be used only for the types of communication which might be made by telephone. If one of the check-boxes is marked, the International Bureau and Authority specified for supplementary search may, if they wish to do so, send notifications in respect of the international application to the applicant, thus avoiding processing or postal delays. Note that not all Offices will send such notifications by e-mail (for details about each Office's procedure, see *PCT Applicant's Guide*, Annex B). If the first check-box is marked, any such e-mail notification will always be followed by the official notification on paper. Only that paper copy of the notification is considered the legal copy of the notification and only the date of mailing of that paper copy will commence any time limit within the meaning of Rule 80. If the second check-box is marked, the applicant requests the discontinuation of the sending of paper copies of notifications and acknowledges that the date of mailing indicated on the electronic copy will commence any time limit within the meaning of Rule 80.

Note that it is the applicant's responsibility to keep any e-mail address details up-to-date and to ensure that incoming e-mails are not blocked, for any reason, on the recipient's side. Changes to the e-mail address indicated should be requested to be recorded, preferably directly at the International Bureau, under Rule 92*bis*. Where the e-mail authorization is given both in respect of the applicant and in respect of an agent or common representative, the International Bureau and the Authority specified for supplementary search will send e-mail communications only to the appointed agent or common representative.

Box No. III

Agent or Common Representative (Rules 45*bis*.1(b)(i), 90.1 and 90.2): Mark the applicable check-boxes to indicate *first* whether the person named in this Box is agent or common representative, *then* whether that person *has been appointed earlier* (i.e., during the procedure under Chapter I), *or is appointed in the supplementary search request* and any earlier appointment of another person is revoked, *or is appointed specifically for the procedure before the Authority specified for supplementary search* (without revocation of any earlier appointment), in addition to the person(s) appointed earlier.

Where an additional person is appointed specifically for the procedure before the Authority specified for supplementary search, all notifications issued by that Authority will be addressed only to that additional person. A separate power of attorney must be filed with the Authority specified for supplementary search, the International Bureau or the receiving Office, if the person appointed at the time the supplementary search request is filed (i.e., was not appointed earlier) signs the supplementary search request on behalf of the applicant (Rule 90.4).

Agent's registration number with the Office: Where the agent is registered with the national or regional Office that is acting as Authority specified for supplementary search, the supplementary search request may indicate the number or other indication under which the agent is so registered.

E- mail address (see Notes to Box. No. II)

Address for correspondence Where an agent is appointed, any correspondence intended for the applicant will be sent to the address indicated for that agent (or for the first-mentioned agent, if more than one is appointed). Where one of two or more applicants is appointed as common representative, the address indicated for that applicant in Box No. III will be used. Where no agent or common representative is appointed, any correspondence will be sent to the address, indicated in Box No.II, of the applicant. However, if the applicant wishes correspondence to be sent to a different address in such a case, that address may be indicated in Box No.III instead of the designation of an agent or common representative. In this case, and only in this case, the last check-

Notes to the supplementary search request (PCT/IB/375) (page 2) (Draft for consultation)

box of Box No. III must be marked (that is, the last check-box must not be marked if either of the check-boxes "agent" or "common representative" in Box No. III has been marked).

Box No. IV

Language for the supplementary international search: The language for the purposes of supplementary international search should be indicated in Box No. IV and it should be specified whether that language is that of the international application as filed, the language of the translation furnished for the purposes of international search (Rule 12.3), the language of the translation furnished for the purposes of publication of the international application (Rule 12.4) and/or the language of the translation to be furnished for the purposes of supplementary international search.

Where neither the language in which the international application was filed nor that in which a translation (if any) has been furnished under Rule 12.3 or 12.4 is accepted by the Authority specified for supplementary search, a translation of the international application into a language which is accepted by that Authority must be furnished with the supplementary search request.

Limitation of the supplementary international search to certain claims: The check-box should be marked where the International Searching Authority has found that the international application does not comply with the requirement of unity of invention and the applicant wishes to limit the supplementary international search to one of the inventions as identified by the International Searching Authority other than the main invention referred to in Article 17(3)(a). The claims relating to the invention selected and, where applicable, the number of the invention as identified by the International Searching Authority, should be indicated in the space provided. Note that where the international search report is available to the Authority specified for supplementary search before it starts the search, the Authority may exclude from the supplementary search any claims which were not the subject of the international search (Rule 45*bis*.5(d)).

Box No. V

Check list: It is recommended that this Box be filled in carefully in order for the Authority specified for supplementary search to determine, as soon as possible, whether it is in possession of the documents on the basis of which the applicant wishes supplementary international search to start. Where a translation of the international application must be furnished for the purposes of supplementary international search (Rule 45*bis*.1(c)(i)), check-Box No. 1 should be marked.

Where the international application contains disclosure of one or more nucleotide and/or amino acid sequences, and a copy of the sequence listing in the form of an Annex C/ST.25 text file is required by the Authority specified for supplementary search, the applicant should preferably furnish the listing in that form to the International Bureau with the supplementary search request (Rule 45*bis*.1(c)(ii)). If this is the case, check-box No.6 should be marked.

Box No. VI

Signature of applicant, agent or common representative (Rules 90 and 92.1): The supplementary search request must be signed by one of the applicants, the agent or the common representative.

Important: Should a notice of withdrawal of the supplementary search request be filed, that notice will have to be signed by the applicant or, if there are two or more applicants by all of them (Rule 90*bis*.5), or by an agent or a common representative whose appointment has been effected by each applicant signing, at his choice, the request, the request for supplementary search, the demand, a separate power of attorney (Rule 90.4(a)) or a general power of attorney (Rule 90.5(a)).

PCT

FEE CALCULATION SHEET

Annex to the supplementary search request

AUTHORITY	For International Bureau use only
International application No.	
Applicant's or agent's file reference	
Applicant	Date stamp of the International Bureau
CALCULATION OF PRESCRIBED FEES	
1. Supplementary search fee	<input type="text"/> SS
2. Supplementary search handling fee	<input type="text"/> SH
3. Total of prescribed fees	<input type="text"/>
<input type="text"/> TOTAL	
MODE OF PAYMENT	
<input type="checkbox"/> authorization to charge deposit or current account with the International Bureau (see below)	
<input type="checkbox"/> check	
<input type="checkbox"/> postal money order	
<input type="checkbox"/> bank transfer	
<input type="checkbox"/> credit card (E-payment) (details should not be indicated here) e-mail address for E-payment: _____ (leave blank if address is same as that indicated in Box No. II or III)	
AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT OR CURRENT ACCOUNT WITH INTERNATIONAL BUREAU	
<input type="checkbox"/> Authorization to charge the total fees indicated above.	Deposit or Current Account No.: _____
<input type="checkbox"/> Authorization to charge any deficiency or credit any overpayment in the total fees indicated above.	Date: _____
	Name: _____
	Signature: _____

**NOTES TO THE FEE CALCULATION SHEET
(ANNEX TO FORM PCT/IB/375)**

The purpose of the fee calculation sheet is to help the applicant to identify the prescribed fees and to calculate the amounts to be paid. It is strongly recommended that the applicant complete, by entering the appropriate amounts in the boxes provided, and submit the fee calculation sheet at the time of filing of the supplementary search request. This will help the International Bureau to verify the calculations and to identify any error in them.

CALCULATION OF PRESCRIBED FEES

Two fees must be paid for supplementary international search:

- (i) the supplementary search fee for the benefit of the Authority specified for supplementary search (Rule 45bis.3);
- (ii) the supplementary search handling fee for the benefit of the International Bureau (Rule 45bis.2).

Both fees must be paid to the International Bureau within one month from the date on which the request for supplementary search was received. Payments of the fees can only be accepted in Swiss francs. The amount payable shall be the amount applicable on the date of payment.

Information as to the amount of those fees can be obtained from the International Bureau. This information is also published in the *PCT Applicant's Guide*, Annex SISA, the *PCT Newsletter* and in *Official Notices (PCT Gazette)*.

Box SS: The amount of the supplementary search fee must be entered in Box SS.

Box SH: The amount of the supplementary search handling fee must be entered in Box SH.

Reduction of the supplementary search handling fee for applicants from certain States: An applicant who is a natural person and who is a national of and resides in a State ~~whose per capita national income is below 3,000 US dollars (according to the average per capita national income figures used by the United Nations for determining its scale of assessments for the contributions payable for the years 1995, 1996 and 1997), or who is a national of and resides in one of the following States: Antigua and Barbuda, Bahrain, Barbados, the Libyan Arab Jamahiriya, Oman, the Seychelles, Singapore, Trinidad and Tobago and the United Arab Emirates; or an applicant, whether a natural person or not, who is a national of and resides in a State that is classed as a least developed country by the United Nations,~~ is entitled, in accordance with the Schedule of Fees, to a reduction of 90% of certain PCT fees including the supplementary search handling fee. If there are several applicants, each must satisfy the above-mentioned criteria. The reduction of the supplementary search handling fee will be automatically available to any applicant (or applicants) who is (or are) so entitled on the basis of the indications of name, nationality and residence given in Box No. II of the supplementary search request.

The fee reduction will be available even if one or more of the applicants are not from PCT Contracting States, provided that each of them is a national and resident of a State that meets the above-mentioned requirements and that at least one of the applicants is a national or resident of a PCT Contracting State and thus is entitled to file an international application.

Information about PCT Contracting States whose nationals and residents are entitled to a reduction of 90% of certain PCT fees, including the supplementary search handling fee, is contained in the *PCT Applicant's Guide*, Annex C and on the WIPO website (see www.wipo.int/pct/en/), and is also published in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*.

Calculation of the supplementary search handling fee in case of fee reduction: Where the applicant is (or all applicants are) entitled to a reduction of the supplementary search handling fee, the total to be entered in Box SH is 10% of the supplementary search handling fee.

Total Box (item 3): the total of the amounts inserted in Boxes SS and SH is the amount which must be paid to the International Bureau.

MODE OF PAYMENT

In order to help the International Bureau identify the mode of payment of the prescribed fees, it is recommended to mark the applicable check-box(es). Credit card details should not be furnished with the request for supplementary search. Applicants who choose credit card payment will be sent an e-mail with a unique link to our secure E-payment system. Where an e-mail address has been indicated, in Box No. II or III, this address will be used. If no e-mail address has been indicated or the applicant wishes to use an alternative e-mail address for the purposes of E-payment, this should be indicated here.

**AUTHORIZATION TO CHARGE (OR CREDIT)
CURRENT ACCOUNT**

This mode of payment is only available if a current account has been opened with the International Bureau. Information on how to open such an account with the International Bureau can be found on WIPO's website: www.wipo.int/pct/en/filing/account.htm. Any current account with the receiving Office cannot be charged for the purpose of paying the supplementary search fee and the supplementary search handling fees due to the International Bureau.

The International Bureau will not charge fees to current accounts unless the current account authorization is signed and indicates the current account number.

**NOTES TO THE FEE CALCULATION SHEET
(ANNEX TO FORM PCT/IB/375)**

The purpose of the fee calculation sheet is to help the applicant to identify the prescribed fees and to calculate the amounts to be paid. It is strongly recommended that the applicant complete, by entering the appropriate amounts in the boxes provided, and submit the fee calculation sheet at the time of filing of the supplementary search request. This will help the International Bureau to verify the calculations and to identify any error in them.

CALCULATION OF PRESCRIBED FEES

Two fees must be paid for supplementary international search:

- (i) the supplementary search fee for the benefit of the Authority specified for supplementary search (Rule 45*bis*.3);
- (ii) the supplementary search handling fee for the benefit of the International Bureau (Rule 45*bis*.2).

Both fees must be paid to the International Bureau within one month from the date on which the request for supplementary search was received. Payments of the fees can only be accepted in Swiss francs. The amount payable shall be the amount applicable on the date of payment.

Information as to the amount of those fees can be obtained from the International Bureau. This information is also published in the *PCT Applicant's Guide*, Annex SISA, the *PCT Newsletter* and in *Official Notices (PCT Gazette)*.

Box SS: The amount of the supplementary search fee must be entered in Box SS.

Box SH: The amount of the supplementary search handling fee must be entered in Box SH.

Reductions: Some Offices have different supplementary search fees, depending upon the documentation to be searched, which are indicated in the PCT Fee Tables (<http://www.wipo.int/pct/en/fees.pdf>) and the relevant Annex SISA of the *PCT Applicant's Guide*. If reduced fees apply, the reduced amount should be indicated in the fee calculation sheet. Applicants may also be entitled to a reduction to the supplementary search handling fee, which is explained further below.

Reduction of the supplementary search handling fee for applicants from certain States: An applicant who is a natural person and who is a national of and resides in a State that is listed as being a State whose per capita gross domestic product is below US\$ 25,000 (according to the most recent ten year average per capita gross domestic product figures at constant 2005 US\$ values published by the United Nations), and whose nationals and residents who are natural persons have filed less than 10 international applications per year (per million population) or 50 international applications per year (in absolute numbers) according to the most recent 5-year average yearly filing figures published by the International Bureau; or an applicant, whether a natural person or not, who is a national of and resides in a State that is listed as being classified by the United Nations as a least developed country, is entitled, in accordance with the Schedule of Fees, to a reduction of 90% of certain PCT fees including the supplementary search handling fee. If there are several applicants, each must satisfy the above-mentioned criteria. The reduction of the supplementary search

handling fee will be automatically available to any applicant (or applicants) who is (or are) so entitled on the basis of the indications of name, nationality and residence given in Box No. II of the supplementary search request.

The fee reduction will be available even if one or more of the applicants are not from PCT Contracting States, provided that each of them is a national and resident of a State that meets the above-mentioned requirements and that at least one of the applicants is a national or resident of a PCT Contracting State and thus is entitled to file an international application.

Information about PCT Contracting States whose nationals and residents are entitled to a reduction of 90% of certain PCT fees, including the supplementary search handling fee, is contained in the *PCT Applicant's Guide*, Annex C and on the WIPO website (see www.wipo.int/pct/en/), and is also published in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*.

Calculation of the supplementary search handling fee in case of fee reduction: Where the applicant is (or all applicants are) entitled to a reduction of the supplementary search handling fee, the total to be entered in Box SH is 10% of the supplementary search handling fee.

Total Box (item 3): the total of the amounts inserted in Boxes SS and SH is the amount which must be paid to the International Bureau.

MODE OF PAYMENT

In order to help the International Bureau identify the mode of payment of the prescribed fees, it is recommended to mark the applicable check-box(es). Credit card details should not be furnished with the request for supplementary search. Applicants who choose credit card payment will be sent an e-mail with a unique link to our secure E-payment system. Where an e-mail address has been indicated, in Box No. II or III, this address will be used. If no e-mail address has been indicated or the applicant wishes to use an alternative e-mail address for the purposes of E-payment, this should be indicated here.

AUTHORIZATION TO CHARGE (OR CREDIT) CURRENT ACCOUNT

This mode of payment is only available if a current account has been opened with the International Bureau. Information on how to open such an account with the International Bureau can be found on WIPO's website: www.wipo.int/pct/en/filing/account.htm. Any current account with the receiving Office cannot be charged for the purpose of paying the supplementary search fee and the supplementary search handling fees due to the International Bureau.

The International Bureau will not charge fees to current accounts unless the current account authorization is signed and indicates the current account number.

The demand must be filed directly with the competent International Preliminary Examining Authority or, if two or more Authorities are competent, with the one chosen by the applicant. The full name or two-letter code of that Authority may be indicated by the applicant on the line below:

IPEA/ _____

PCT

CHAPTER II

DEMAND

under Article 31 of the Patent Cooperation Treaty:

The undersigned requests that the international application specified below be the subject of international preliminary examination according to the Patent Cooperation Treaty.

For International Preliminary Examining Authority use only	
Identification of IPEA	Date of receipt of DEMAND
Box No. I IDENTIFICATION OF THE INTERNATIONAL APPLICATION	
Applicant's or agent's file reference	
International application No.	International filing date (<i>day/month/year</i>)
(Earliest) Priority date (<i>day/month/year</i>)	
Title of invention	
Box No. II APPLICANT(S)	
Name and address: (<i>Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.</i>)	Telephone No.
	Facsimile No.
	Applicant's registration No. with the Office
<p>E-mail authorization: Marking one of the check-boxes below authorizes the International Bureau and the International Preliminary Examining Authority to use the e-mail address indicated in this Box to send notifications issued in respect of this international application if those offices are willing to do so.</p> <p><input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent).</p> <p>E-mail address: _____</p>	
State (<i>that is, country</i>) of nationality:	State (<i>that is, country</i>) of residence:
Name and address: (<i>Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.</i>)	
State (<i>that is, country</i>) of nationality:	State (<i>that is, country</i>) of residence:
<input type="checkbox"/> Further applicants are indicated on a continuation sheet.	

The demand must be filed directly with the competent International Preliminary Examining Authority or, if two or more Authorities are competent, with the one chosen by the applicant. The full name or two-letter code of that Authority may be indicated by the applicant on the line below:

IPEA/ _____

PCT

CHAPTER II

DEMAND

under Article 31 of the Patent Cooperation Treaty:

The undersigned requests that the international application specified below be the subject of international preliminary examination according to the Patent Cooperation Treaty.

For International Preliminary Examining Authority use only	
Identification of IPEA	Date of receipt of DEMAND
Box No. I IDENTIFICATION OF THE INTERNATIONAL APPLICATION	
Applicant's or agent's file reference	
International application No.	International filing date (<i>day/month/year</i>)
(Earliest) Priority date (<i>day/month/year</i>)	
Title of invention	
Box No. II APPLICANT(S)	
Name and address: (<i>Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.</i>)	Telephone No.
	Facsimile No.
	Applicant's registration No. with the Office
<p>E-mail authorization: Marking one of the check-boxes below authorizes the International Bureau and the International Preliminary Examining Authority to use the e-mail address indicated in this Box to send notifications issued in respect of this international application if those offices are willing to do so.</p> <p><input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent).</p> <p>E-mail address: _____</p>	
State (<i>that is, country</i>) of nationality:	State (<i>that is, country</i>) of residence:
Name and address: (<i>Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.</i>)	
State (<i>that is, country</i>) of nationality:	State (<i>that is, country</i>) of residence:
<input type="checkbox"/> Further applicants are indicated on a continuation sheet.	

NOTES TO THE DEMAND FORM (PCT/IPEA/401)

These Notes are intended to facilitate the filling in of the demand form and to give some information concerning international preliminary examination under Chapter II of the Patent Cooperation Treaty (PCT). For more detailed information, see the *PCT Applicant's Guide*, a WIPO publication, which is available, together with other PCT related documents, at WIPO's website: www.wipo.int/pct/en/. The Notes are based on the requirements of the PCT, the Regulations and the Administrative Instructions under the PCT. In case of any discrepancy between these Notes and those requirements, the latter are applicable.

In the demand form and these Notes, "Article", "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the Administrative Instructions, respectively.

The demand form shall be typed or printed; check-boxes may be marked by hand with dark ink (Rules 11.9(a) and (b) and 11.14).

The demand form and these Notes may be downloaded from WIPO's website at the address given above.

IMPORTANT GENERAL INFORMATION

Who May File a Demand? (Article 31(2)(a) and Rule 54): A demand (for international preliminary examination) may only be filed by an applicant who is a national or resident of a PCT Contracting State which is bound by Chapter II of the PCT; furthermore, the international application must have been filed with a receiving Office of, or acting for, a State bound by Chapter II. Where there are two or more applicants (for the same or different elected States) at least one of them must qualify.

Where Must the Demand Be Filed? (Article 31(6)(a)): The demand must be filed with a competent International Preliminary Examining Authority (IPEA). The receiving Office with which the international application was filed will, upon request, give information about the competent IPEA (or see the *PCT Applicant's Guide*, Annex C). If several IPEAs are competent, the applicant has the choice and the demand must be filed with (and the fees must be paid to) the IPEA chosen by the applicant. The IPEA chosen by the applicant may be identified, preferably by an indication of the name or two-letter code of the IPEA, at the top of the first sheet of the demand in the space provided for that purpose.

When Must the Demand Be Filed? (Article 39(1) and Rule 54*bis*.1): As long as certain designated Offices are still not bound by the 30-month time limit under Article 22 for entry into the national phase, the demand – because it contains the required election of designated States – must be filed within 19 months from the priority date if the applicant wishes to postpone entry into the national phase from 20 to 30 months from the priority date in respect of those designated Offices. For updated information about those Offices, see the *PCT Applicant's Guide*, National Chapters, Summaries, available on the WIPO website at the address indicated above. It is recalled that the time limit of 30 months from the priority date applies to all other designated Offices regardless of whether or not a demand is filed.

If the applicant wishes to file a demand, but not because of the reason explained above, the applicable time limit for filing such demand is three months from the date of transmittal of the international search report or of the declaration referred to in Article 17(2)(a), and the written opinion established by the International Searching Authority or 22 months from the priority date, whichever expires later (see Rule 54*bis*.1(a)).

Any demand made after the expiration of the applicable time limit will be considered as if it had not been submitted and the IPEA shall so declare.

In Which Language Must the Demand Be Filed? (Rule 55.1): The demand must be filed in the language in which international preliminary examination will be carried out (see Notes to Box No. IV).

What is the Language of Correspondence? (Rules 55.3 and 92.2 and Section 104): Any letter from the applicant to the IPEA must be in the same language as the international application to which it relates. However, where the international preliminary examination will be carried out on the basis of a translation (see Notes to Box No. IV), any letter from the applicant to the IPEA must be in the language of the translation. The IPEA may authorize the use of other languages for letters which do not contain or relate to amendments of the international application. Any letter from the applicant to the International Bureau must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

BOX No. I

Applicant's or Agent's File Reference: A file reference may be indicated, if desired. It should not exceed 12 characters. Characters in excess of 12 may be disregarded (Section 109).

Identification of the International Application (Rule 53.6): The international application number must be indicated in Box No. I. Where the demand is filed at a time when the international application number has not yet been notified by the receiving Office, the name of that Office must be indicated instead of the international application number.

International Filing Date and (Earliest) Priority Date (Section 110): Dates must be indicated by the Arabic number of the day, the name of the month and the Arabic number of the year – in that order; after, below or above such indication, the date should be repeated in parentheses, using two-digit Arabic numerals each for the number of the day and for the number of the month followed by the number of the year in four digits, in that order, and separated by periods, slants or hyphens, for example, "26 October 2012 (26.10.2012)", "26 October 2012 (26/10/2012)" or "26 October 2012 (26-10-2012)". Where the international application claims the priority of several earlier applications, the filing date of the earliest application whose priority is claimed must be indicated as the priority date.

Title of the Invention: If a new title has been established by the International Searching Authority, that title must be indicated in Box No. I.

BOX No. II

Applicant(s) (Rule 53.4): All the applicants for the elected States must be indicated in the demand. It should be noted that those persons named as "inventor only" in the request need not be named in the demand.

NOTES TO THE DEMAND FORM (PCT/IPEA/401)

These Notes are intended to facilitate the filling in of the demand form and to give some information concerning international preliminary examination under Chapter II of the Patent Cooperation Treaty (PCT). For more detailed information, see the *PCT Applicant's Guide*, a WIPO publication, which is available, together with other PCT related documents, at WIPO's website: <http://www.wipo.int/pct/en/>. The Notes are based on the requirements of the PCT, the Regulations and the Administrative Instructions under the PCT. In case of any discrepancy between these Notes and those requirements, the latter are applicable.

In the demand form and these Notes, "Article", "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the Administrative Instructions, respectively.

The demand form shall be typed or printed; check-boxes may be marked by hand with dark ink (Rules 11.9(a) and (b) and 11.14).

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Where Must the Demand Be Filed? (Article 31(6)(a)): The demand must be filed with a competent International Preliminary Examining Authority (IPEA). The receiving Office with which the international application was filed will, upon request, give information about the competent IPEA (or see the *PCT Applicant's Guide*, Annex C). If several IPEAs are competent, the applicant has the choice and the demand must be filed with (and the fees must be paid to) the IPEA chosen by the applicant. The IPEA chosen by the applicant may be identified, preferably by an indication of the name or two-letter code of the IPEA, at the top of the first sheet of the demand in the space provided for that purpose.

When Must the Demand Be Filed? (Article 39(1) and Rule 54*bis*.1): As long as certain designated Offices are still not bound by the 30-month time limit under Article 22 for entry into the national phase, the demand – because it contains the required election of designated States – must be filed within 19 months from the priority date if the applicant wishes to postpone entry into the national phase from 20 to 30 months from the priority date in respect of those designated Offices. For updated information about those Offices, see the *PCT Applicant's Guide*, National Chapters, Summaries, available on the WIPO website at the address indicated above. It is recalled that the time limit of 30 months from the priority date applies to all other designated Offices regardless of whether or not a demand is filed.

If the applicant wishes to file a demand, but not because of the reason explained above, the applicable time limit for filing such demand is three months from the date of transmittal of the international search report or of the declaration referred to in Article 17(2)(a), and the written opinion established by the International Searching Authority or 22 months from the priority date, whichever expires later (see Rule 54*bis*.1(a)).

Any demand made after the expiration of the applicable time limit will be considered as if it had not been submitted and the IPEA shall so declare.

In Which Language Must the Demand Be Filed? (Rule 55.1): The demand must be filed in the language in which international preliminary examination will be carried out (see Notes to Box No. IV).

What is the Language of Correspondence? (Rules 55.3 and 92.2 and Section 104): Any letter from the applicant to the IPEA must be in the same language as the international application to which it relates. However, where the international preliminary examination will be carried out on the basis of a translation (see Notes to Box No. IV), any letter from the applicant to the IPEA must be in the language of the translation. The IPEA may authorize the use of other languages for letters which do not contain or relate to amendments of the international application. Any letter from the applicant to the International Bureau must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

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International Filing Date and (Earliest) Priority Date (Section 110): Dates must be indicated by the Arabic number of the day, the name of the month and the Arabic number of the year – in that order; after, below or above such indication, the date should be repeated in parentheses, using two-digit Arabic numerals each for the number of the day and for the number of the month followed by the number of the year in four digits, in that order, and separated by periods, slants or hyphens, for example, "26 October 2012 (26.10.2012)", "26 October 2012 (26/10/2012)" or "26 October 2012 (26-10-2012)". Where the international application claims the priority of several earlier applications, the filing date of the earliest application whose priority is claimed must be indicated as the priority date.

Title of the Invention: If a new title has been established by the International Searching Authority, that title must be indicated in Box No. I.

BOX No. II

Applicant(s) (Rule 53.4): All the applicants for the elected States must be indicated in the demand. It should be noted that those persons named as "inventor only" in the request need not be named in the demand.

Insert in Box No. II of the demand the required indications as in Boxes Nos. II and III of the request. The Notes to the request apply *mutatis mutandis*. If there are two or more applicants for the States elected in the demand, give the required indications for each of them; if there are more than three applicants, make the required indications on the “Continuation Sheet”.

If different applicants were indicated in the request for different designated States, there is no need to again indicate in the demand the States for which a person is applicant, because those indications have been made in the request.

Applicant’s registration number with the Office (Rule 53.4): Where the applicant is registered with the national or regional Office that is acting as International Preliminary Examining Authority, the demand may indicate the number or other indication under which the applicant is so registered.

An E-mail address should be indicated for the person named in Box No. II in order to allow rapid communication with the applicant (see Rule 4.4(c)). Any telephone or facsimile number should include the applicable country and area codes. A single e-mail address only should be indicated.

Unless one of the applicable check-boxes is marked, any e-mail address supplied will be used only for the types of communication which might be made by telephone. If one of the applicable check-boxes is marked, the International Bureau and the International Preliminary Examining Authority may, if they wish to do so, send notifications in respect of the international application to the applicant by e-mail, thus avoiding processing or postal delays. Note that not all Offices will send such notifications by e-mail, (for details about each Office’s procedure see the *PCT Applicant’s Guide*, Annex B). If the first check-box is marked, any such e-mail notification will always be followed by the official notification on paper. Only that paper copy of the notification is considered the legal copy of the notification and only the date of mailing of that paper copy will commence any time limit within the meaning of Rule 80. If the second check-box is marked, the applicant requests the discontinuation of the sending of paper copies of notifications and acknowledges that the date of mailing indicated on the electronic copy will commence any time limit within the meaning of Rule 80.

Note that it is the applicant’s responsibility to keep any e-mail address details up-to-date and to ensure that incoming e-mails are not blocked, for any reason, on the recipient’s side. Changes to the e-mail address indicated should be requested to be recorded, preferably directly at the International Bureau, under Rule 92*bis*. Where the e-mail authorization is given both in respect of the applicant and in respect of an agent or common representative, the International Bureau and the International Preliminary Examining Authority will send e-mail communications only to the appointed agent or common representative.

BOX No. III

Agent or Common Representative (Rules 53.5, 90.1 and 90.2): Mark the applicable check-boxes to indicate *first* whether the person named in this Box is agent or common representative, *then* whether that person *has been appointed earlier* (i.e., during the procedure under Chapter I), or *is appointed in the demand* and any earlier appointment of another person is revoked, or *is appointed specifically for the procedure before the IPEA* (without revocation of any earlier appointment), in addition to the person(s) appointed earlier.

Where an additional person is appointed specifically for the procedure before the IPEA, all notifications issued by the IPEA will be addressed only to that additional person.

A separate power of attorney must be filed with the IPEA, the International Bureau or the receiving Office, if the person appointed at the time the demand is filed (i.e., was not appointed earlier) signs the demand on behalf of the applicant (Rule 90.4). However, the receiving Office, the International Bureau or the IPEA may waive the requirement that a separate power of attorney be filed. For details, see the *PCT Applicant’s Guide*, Annex B(IB), Annex C and Annex E.

Agent’s registration number with the Office (Rule 53.5): Where the agent is registered with the national or regional Office that is acting as International Preliminary Examining Authority, the demand may indicate the number or other indication under which the agent is so registered.

E-mail address (see Notes to Box. No. II).

Address for Correspondence (Rule 4.4(d) and Section 108): Where an agent is appointed, any correspondence intended for the applicant will be sent to the address indicated for that agent (or for the first-mentioned agent, if more than one is appointed). Where one of two or more applicants is appointed as common representative, the address indicated for that applicant in Box No. III will be used.

Where no agent or common representative is appointed, any correspondence will be sent to the address, indicated in Box No. II, of the applicant (if only one person is named as applicant) or of the applicant who is considered to be common representative (if there are two or more persons named as applicants). However, if the applicant wishes correspondence to be sent to a different address in such a case, that address may be indicated in Box No. III instead of the designation of an agent or common representative. In this case, and only in this case, the last check-box of Box No. III must be marked (that is, the last check-box must not be marked if either of the check-boxes “agent” or “common representative” in Box No. III has been marked).

BOX No. IV

Statement Concerning Amendments (Rules 53.2(a)(iv), 53.9, 62, 66.1 and 69.1): The international preliminary examination will start on the basis of the international application as filed or, if amendments have been filed, as amended. Mark the appropriate check-box(es) to enable the IPEA to determine when and on what basis it can start international preliminary examination.

Mark the corresponding check-box(es) under No. 1 where the international preliminary examination should start on the basis of the international application as originally filed or where amendments are to be taken into account, as the case may be. Where amendments under Article 19 are to be taken into account, the applicant should preferably submit a copy of the amendments made under Article 19, the letter accompanying the amendments (Rules 62.1(ii) and 46.5(b)) and any statement (Rule 62.1(ii)). Where amendments under Article 34 are to be taken into account, the applicant must submit *with the Demand* the amendments of the international application under Article 34, together with a letter which must draw attention to the differences caused by the amendments and indicate the basis for the amendments in the application as filed and shall also explain the reasons for the amendments (Rule 66.8). If a check-box is marked but the demand is not accompanied by the

Insert in Box No. II of the demand the required indications as in Boxes Nos. II and III of the request. The Notes to the request apply *mutatis mutandis*. If there are two or more applicants for the States elected in the demand, give the required indications for each of them; if there are more than three applicants, make the required indications on the “Continuation Sheet”.

If different applicants were indicated in the request for different designated States, there is no need to again indicate in the demand the States for which a person is applicant, because those indications have been made in the request.

Applicant’s registration number with the Office (Rule 53.4): Where the applicant is registered with the national or regional Office that is acting as International Preliminary Examining Authority, the demand may indicate the number or other indication under which the applicant is so registered.

An E-mail address should be indicated for the person named in Box No. II in order to allow rapid communication with the applicant (see Rule 4.4(c)). Any telephone or facsimile number should include the applicable country and area codes. A single e-mail address only should be indicated.

Unless one of the applicable check-boxes is marked, any e-mail address supplied will be used only for the types of communication which might be made by telephone. If one of the applicable check-boxes is marked, the International Bureau and the International Preliminary Examining Authority may, if they wish to do so, send notifications in respect of the international application to the applicant by e-mail, thus avoiding processing or postal delays. Note that not all Offices will send such notifications by e-mail, (for details about each Office’s procedure see the *PCT Applicant’s Guide*, Annex B). If the first check-box is marked, any such e-mail notification will always be followed by the official notification on paper. Only that paper copy of the notification is considered the legal copy of the notification and only the date of mailing of that paper copy will commence any time limit within the meaning of Rule 80. If the second check-box is marked, the applicant requests the discontinuation of the sending of paper copies of notifications and acknowledges that the date of mailing indicated on the electronic copy will commence any time limit within the meaning of Rule 80.

Note that it is the applicant’s responsibility to keep any e-mail address details up-to-date and to ensure that incoming e-mails are not blocked, for any reason, on the recipient’s side. Changes to the e-mail address indicated should be requested to be recorded, preferably directly at the International Bureau, under Rule 92*bis*. Where the e-mail authorization is given both in respect of the applicant and in respect of an agent or common representative, the International Bureau and the International Preliminary Examining Authority will send e-mail communications only to the appointed agent or common representative.

BOX No. III

Agent or Common Representative (Rules 53.5, 90.1 and 90.2): Mark the applicable check-boxes to indicate *first* whether the person named in this Box is agent or common representative, *then* whether that person *has been appointed earlier* (i.e., during the procedure under Chapter I), or *is appointed in the demand* and any earlier appointment of another person is revoked, or *is appointed specifically for the procedure before the IPEA* (without revocation of any earlier appointment), in addition to the person(s) appointed earlier.

Where an additional person is appointed specifically for the procedure before the IPEA, all notifications issued by the IPEA will be addressed only to that additional person.

A separate power of attorney must be filed with the IPEA, the International Bureau or the receiving Office, if the person appointed at the time the demand is filed (i.e., was not appointed earlier) signs the demand on behalf of the applicant (Rule 90.4). However, the receiving Office, the International Bureau or the IPEA may waive the requirement that a separate power of attorney be filed. For details, see the *PCT Applicant’s Guide*, Annex B(IB), Annex C and Annex E.

Agent’s registration number with the Office (Rule 53.5): Where the agent is registered with the national or regional Office that is acting as International Preliminary Examining Authority, the demand may indicate the number or other indication under which the agent is so registered.

E-mail address (see Notes to Box. No. II).

Address for Correspondence (Rule 4.4(d) and Section 108): Where an agent is appointed, any correspondence intended for the applicant will be sent to the address indicated for that agent (or for the first-mentioned agent, if more than one is appointed). Where one of two or more applicants is appointed as common representative, the address indicated for that applicant in Box No. III will be used.

Where no agent or common representative is appointed, any correspondence will be sent to the address, indicated in Box No. II, of the applicant (if only one person is named as applicant) or of the applicant who is considered to be common representative (if there are two or more persons named as applicants). However, if the applicant wishes correspondence to be sent to a different address in such a case, that address may be indicated in Box No. III instead of the designation of an agent or common representative. In this case, and only in this case, the last check-box of Box No. III must be marked (that is, the last check-box must not be marked if either of the check-boxes “agent” or “common representative” in Box No. III has been marked).

BOX No. IV

Statement Concerning Amendments (Rules 53.2(a)(iv), 53.9, 62, 66.1 and 69.1): The international preliminary examination will start on the basis of the international application as filed or, if amendments have been filed, as amended. Mark the appropriate check-box(es) to enable the IPEA to determine when and on what basis it can start international preliminary examination.

Mark the corresponding check-box(es) under No. 1 where the international preliminary examination should start on the basis of the international application as originally filed or where amendments are to be taken into account, as the case may be. Where amendments under Article 19 are to be taken into account, the applicant should preferably submit a copy of the amendments made under Article 19, the letter accompanying the amendments (Rules 62.1(ii) and 46.5(b)) and any statement (Rule 62.1(ii)). Where amendments under Article 34 are to be taken into account, the applicant must submit *with the Demand* the amendments of the international application under Article 34, together with a letter which must draw attention to the differences caused by the amendments and indicate the basis for the amendments in the application as filed and shall also explain the reasons for the amendments (Rule 66.8). If a check-box is marked but the demand is not accompanied by the

documents referred to, the start of international preliminary examination will be delayed until the IPEA receives them.

Mark check-box No. 2 if amendments of the claims under Article 19 have been filed with the International Bureau during the Chapter I procedure, but the applicant wishes those amendments to be considered reversed by an amendment under Article 34 (Rule 53.9(a)(ii)).

Mark check-box No. 3 where the applicant wants to keep the option for the filing of amendments of the claims under Article 19 open and where the IPEA wishes to start the international preliminary examination at the same time as the international search in accordance with Rule 69.1(b). The applicant may request the IPEA to **postpone** the start of international preliminary examination until the expiration of the applicable time limit (Rules 46.1, 53.9(b) and 69.1(d)).

Mark check-box No. 4 if the applicant wishes that the international preliminary examination start earlier than at the expiration of the applicable time limit under Rule 54*bis*.1(a).

Where the ISA and IPEA are not the same Authority, examination will not commence until the IPEA is in possession of the international search report, or a notice of the declaration under Article 17(2)(a) and the written opinion established by the ISA.

The applicable time limit under Rule 54*bis*.1(a) is three months from the date of transmittal of the international search report or of the declaration referred to in Article 17(2)(a), and the written opinion established by the International Searching Authority, or 22 months from the priority date, whichever expires later.

If no check-box is marked, refer to the footnote at the bottom of the Box.

Language for the Purposes of International Preliminary Examination (Rule 55.2): Where neither the language in which the international application is filed nor the language in which the international application is published is accepted by the IPEA that is to carry out the international preliminary examination, the applicant must furnish with the demand a translation of the international application into a language which is both a language accepted by that Authority and a language of publication.

Where such translation has already been furnished to the International Searching Authority for the purposes of carrying out international search and the IPEA is part of the same Office or intergovernmental organization as the International Searching Authority, the applicant need not furnish another translation. In such a case the international preliminary examination is carried out on the basis of the translation furnished for the purposes of international search.

The language for the purposes of international preliminary examination should be indicated in Box No. IV and the corresponding check-box should be marked.

Language of Amendments (Rule 55.3): Amendments, letters and statements relating thereto must be in the same language as that in which the international preliminary

examination is carried out, as explained in the preceding paragraphs.

Time Limit for Furnishing Translation of the International Application (Rule 55.2): Any required translation of the international application should be furnished (by the applicant) together with the demand. If it is not so furnished, the IPEA will invite the applicant to furnish it within a time limit which shall not be less than one month from the date of the invitation. That time limit may be extended by the IPEA.

BOX No. V

Election of States (Rule 53.7): The making of a demand shall constitute the election of all States which have been designated and which are bound by Chapter II of the PCT.

BOX No. VI

Check List: It is recommended that this Box be filled in carefully in order for the IPEA to determine as soon as possible whether it is in possession of the documents on the basis of which the applicant wishes international preliminary examination to start.

Where the international application contains disclosure of one or more nucleotide and/or amino acid sequences, and a copy of the sequence listing in the form of an Annex C/ST.25 text file is required by the IPEA, the applicant may furnish the listing in that form to the IPEA with the demand. If this is the case, check-box No. 5 must be marked.

BOX No. VII

Signature (Rules 53.8, 60.1(*a-ter*), ~~90.3(a) and 90.4(a) and (d)~~): The demand must be signed by the applicant or by his agent; if there are several applicants, the demand must be signed by all of them, or by the common agent or the common representative of all of them. However, if the signature(s) of one or more applicants is missing, the IPEA will not invite the applicants to furnish the missing signature(s) provided that at least one of the applicants has signed the demand.

Where the signature on the demand is not that of the applicant, but that of the agent or the common representative, a separate power of attorney appointing the agent or the common representative, respectively, or a copy of a general power of attorney ~~already in the possession of the receiving Office~~, must be furnished. The power of attorney must be signed by the applicant or, if there is more than one applicant, by at least one of them. If the power is not filed with the demand, the IPEA will invite the applicant to furnish it, unless it has waived the requirement for a separate power of attorney (for details about each IPEA, see the *PCT Applicant's Guide*, Annex E).

Important: Should a notice of withdrawal be filed at any time during the international phase, that notice will have to be signed by the applicant or, if there are two or more applicant's by all of them (Rule 90*bis*.5(a)), or by an agent or a common representative whose appointment has been effected by each applicant signing, at his choice, the request, the demand ~~or~~ a separate power of attorney (Rule 90.4(a)).

documents referred to, the start of international preliminary examination will be delayed until the IPEA receives them.

Mark check-box No. 2 if amendments of the claims under Article 19 have been filed with the International Bureau during the Chapter I procedure, but the applicant wishes those amendments to be considered reversed by an amendment under Article 34 (Rule 53.9(a)(ii)).

Mark check-box No. 3 where the applicant wants to keep the option for the filing of amendments of the claims under Article 19 open and where the IPEA wishes to start the international preliminary examination at the same time as the international search in accordance with Rule 69.1(b). The applicant may request the IPEA to **postpone** the start of international preliminary examination until the expiration of the applicable time limit (Rules 46.1, 53.9(b) and 69.1(d)).

Mark check-box No. 4 if the applicant wishes that the international preliminary examination start earlier than at the expiration of the applicable time limit under Rule 54bis.1(a).

Where the ISA and IPEA are not the same Authority, examination will not commence until the IPEA is in possession of the international search report, or a notice of the declaration under Article 17(2)(a) and the written opinion established by the ISA.

The applicable time limit under Rule 54bis.1(a) is three months from the date of transmittal of the international search report or of the declaration referred to in Article 17(2)(a), and the written opinion established by the International Searching Authority, or 22 months from the priority date, whichever expires later.

If no check-box is marked, refer to the footnote at the bottom of the Box.

Language for the Purposes of International Preliminary Examination (Rule 55.2): Where neither the language in which the international application is filed nor the language in which the international application is published is accepted by the IPEA that is to carry out the international preliminary examination, the applicant must furnish with the demand a translation of the international application into a language which is both a language accepted by that Authority and a language of publication.

Where such translation has already been furnished to the International Searching Authority for the purposes of carrying out international search and the IPEA is part of the same Office or intergovernmental organization as the International Searching Authority, the applicant need not furnish another translation. In such a case the international preliminary examination is carried out on the basis of the translation furnished for the purposes of international search.

The language for the purposes of international preliminary examination should be indicated in Box No. IV and the corresponding check-box should be marked.

Language of Amendments (Rule 55.3): Amendments, letters and statements relating thereto must be in the same language as that in which the international preliminary examination is carried out, as explained in the preceding paragraphs.

Time Limit for Furnishing Translation of the International Application (Rule 55.2): Any required translation of the international application should be furnished (by the applicant) together with the demand. If it is not so furnished, the IPEA will invite the applicant to furnish it within a time limit which shall not be less than one month from the date of the invitation. That time limit may be extended by the IPEA.

BOX No. V

Election of States (Rule 53.7): The making of a demand shall constitute the election of all States which have been designated and which are bound by Chapter II of the PCT.

BOX No. VI

Check List: It is recommended that this Box be filled in carefully in order for the IPEA to determine as soon as possible whether it is in possession of the documents on the basis of which the applicant wishes international preliminary examination to start.

Where the international application contains disclosure of one or more nucleotide and/or amino acid sequences, and a copy of the sequence listing in the form of an Annex C/ST.25 text file is required by the IPEA, the applicant may furnish the listing in that form to the IPEA with the demand. If this is the case, check-box No. 5 must be marked.

BOX No. VII

Signature (Rules 53.8, 60.1(a-ter) and 90): The demand must be signed by the applicant or by his agent; if there are several applicants, the demand must be signed by all of them, or by the common agent or the common representative of all of them. However, if the signature(s) of one or more applicants is missing, the IPEA will not invite the applicants to furnish the missing signature(s) provided that at least one of the applicants has signed the demand.

Where the signature on the demand is not that of the applicant, but that of the agent or the common representative, a separate power of attorney appointing the agent or the common representative, respectively, or a copy of a general power of attorney the original of which has already been deposited with the competent Authority, must be furnished. The power of attorney must be signed by the applicant or, if there is more than one applicant, by at least one of them. If the power is not filed with the demand, the IPEA will invite the applicant to furnish it, unless it has waived the requirement for a separate power of attorney (for details about each IPEA, see the *PCT Applicant's Guide*, Annex E).

Important: Should a notice of withdrawal be filed at any time during the international phase, that notice will have to be signed by the applicant or, if there are two or more applicant's by all of them (Rule 90bis.5), or by an agent or a common representative whose appointment has been effected by each applicant signing, at his choice, the request, the demand, a separate power of attorney (Rule 90.4(a)) or a general power of attorney (Rule 90.5(a)).

PCT

FEE CALCULATION SHEET

Annex to the Demand

International application No. Applicant's or agent's file reference Applicant	For International Preliminary Examining Authority use only Date stamp of the IPEA
CALCULATION OF PRESCRIBED FEES	
1. Preliminary examination fee	<input style="width: 150px; height: 20px;" type="text"/> P
2. Handling fee (<i>Applicants from certain States are entitled to a reduction of 90% of the handling fee. Where the applicant is (or all applicants are) so entitled, the amount to be entered at H is 10% of the handling fee.</i>)	<input style="width: 150px; height: 20px;" type="text"/> H
3. Total of prescribed fees Add the amounts entered at P and H and enter total in the TOTAL box	<input style="width: 150px; height: 20px;" type="text"/> <input style="width: 150px; height: 20px; text-align: center;" type="text"/> TOTAL
MODE OF PAYMENT <i>(Not all modes of payment may be available at all IPEAs)</i>	
<input type="checkbox"/> authorization to charge deposit or current account with the IPEA (see below)	<input type="checkbox"/> credit card (<i>details should be furnished separately and not included on this sheet</i>)
<input type="checkbox"/> check	<input type="checkbox"/> revenue stamps
<input type="checkbox"/> postal money order	<input type="checkbox"/> cash
<input type="checkbox"/> bank transfer	<input type="checkbox"/> other (specify): _____
AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT OR CURRENT ACCOUNT <i>(This mode of payment may not be available at all IPEAs)</i>	
<input type="checkbox"/> Authorization to charge the total fees indicated above.	IPEA/ _____ Deposit or Current Account No.: _____
<input type="checkbox"/> (<i>This check-box may be marked only if the conditions for deposit or current accounts of the IPEA so permit</i>) Authorization to charge any deficiency or credit any overpayment in the total fees indicated above.	Date: _____ Name: _____ Signature: _____

PCT

FEE CALCULATION SHEET

(If a reduced fee applies, the reduced fee amount should be indicated)

Annex to the Demand

International application No.	For International Preliminary Examining Authority use only	
Applicant's or agent's file reference	Date stamp of the IPEA	
Applicant		
CALCULATION OF PRESCRIBED FEES		
1. PRELIMINARY EXAMINATION FEE (<i>Applicants may be entitled to a reduction of the preliminary examination fee as indicated in the PCT Fee Tables (http://www.wipo.int/pct/en/fees.pdf):</i>)		P
2. HANDLING FEE (<i>Applicants from certain States may be entitled to a reduction of 90% of the handling fee as indicated in Applicability of 90% Reduction in Certain PCT Fees (http://www.wipo.int/pct/en/fee_reduction.pdf):</i>)		H
3. TOTAL OF PRESCRIBED FEES Add the amounts entered at P and H and enter total in the TOTAL box	TOTAL	
MODE OF PAYMENT <i>(Not all modes of payment may be available at all IPEAs)</i>		
<input type="checkbox"/> credit card (<i>details should not be included on this sheet</i>)	<input type="checkbox"/> postal money order	
<input type="checkbox"/> authorization to charge deposit or current account with the IPEA (see below)	<input type="checkbox"/> check	
<input type="checkbox"/> bank transfer	<input type="checkbox"/> revenue stamps	
<input type="checkbox"/> cash	<input type="checkbox"/> other (<i>specify</i>): _____	
AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT OR CURRENT ACCOUNT <i>(This mode of payment may not be available at all IPEAs)</i>		
<input type="checkbox"/> Authorization to charge the total fees indicated above.	IPEA/ _____	
<input type="checkbox"/> (<i>This check-box may be marked only if the conditions for deposit or current accounts of the IPEA so permit</i>) Authorization to charge any deficiency or credit any overpayment in the total fees indicated above.	Deposit or Current Account No.: _____	
	Date: _____	
	Name: _____	
	Signature: _____	

**NOTES TO THE FEE CALCULATION SHEET
(ANNEX TO FORM PCT/IPEA/401)**

The purpose of the fee calculation sheet is to help the applicant to identify the prescribed fees and to calculate the amounts to be paid. It is strongly recommended that the applicant complete, by entering the appropriate amounts in the boxes provided, and submit the fee calculation sheet at the time of filing of the demand. This will help the International Preliminary Examining Authority (IPEA) to verify the calculations and to identify any error in them.

CALCULATION OF PRESCRIBED FEES

Two fees must be paid for international preliminary examination:

- (i) the preliminary examination fee for the benefit of the IPEA (Rule 58.1);
- (ii) the handling fee for the benefit of the International Bureau (Rule 57).

Both fees must be paid to the IPEA within one month from the date on which the demand is submitted or 22 months from the priority date, whichever expires later. The amount payable is the amount applicable on the date of payment (Rules 57.3 and 58.1(b)). The fees must be paid in a currency acceptable to the IPEA.

Information about the amount of those fees or about equivalent amounts in other currencies can be obtained from the IPEA or the receiving Office. This information is also published in the *PCT Applicant's Guide*, Annex E, and from time to time in *Official Notices (PCT Gazette)*.

Box P: The amount of the preliminary examination fee must be entered in Box P.

Box H: The amount of the handling fee must be entered in Box H.

Reduction of the Handling Fee for Applicants from Certain States: An applicant who is a natural person and who is a national of and resides in a State ~~whose per capita national income is below 3,000 US dollars (according to the average per capita national income figures used by the United Nations for determining its scale of assessments for the contributions payable for the years 1995, 1996 and 1997), or who is a national of and resides in one of the following States: Antigua and Barbuda, Bahrain, Barbados, the Libyan Arab Jamahiriya, Oman, the Seychelles, Singapore, Trinidad and Tobago and the United Arab Emirates; or an applicant, whether a natural person or not, who is a national of and resides in a State that is classed as a least developed country by the United Nations,~~ is entitled, in accordance with the Schedule of Fees, to a reduction of 90% of certain PCT fees including the handling fee. If there are several applicants, each must satisfy the above-mentioned criteria. The reduction of the handling fee will be automatically available to any applicant (or applicants) who is (or are) so entitled on the basis of the indications of name, nationality and residence given in Box No. II of the demand.

The fee reduction will be available even if one or more of the applicants are not from PCT Contracting States, provided that each of them is a national and resident of a State that meets the above-mentioned requirements and that at least one of the applicants is a national or resident of a PCT Contracting State and thus is entitled to file an international application.

Information about PCT Contracting States whose nationals and residents are entitled to a reduction of 90% of certain PCT fees, including the handling fee, is contained in the *PCT Applicant's Guide*, Annex C and on the WIPO website (see www.wipo.int/pct/en/), and is also published and regularly updated in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*.

Calculation of the Handling Fee in Case of Fee Reduction: Where the applicant is (or all applicants are) entitled to a reduction of the handling fee, the total to be entered at Box H is 10% of the handling fee.

Total Box: The total of the amounts inserted in Boxes P and H is the amount which must be paid to the IPEA.

MODE OF PAYMENT

In order to help the IPEA identify the mode of payment of the prescribed fees, it is recommended to mark the applicable check-box(es).

**AUTHORIZATION TO CHARGE
(OR CREDIT) DEPOSIT OR CURRENT ACCOUNT**

The applicant should check whether the IPEA allows the use of deposit or current accounts for payment of PCT fees. In addition, it is recommended that the applicant check what are the specific conditions applicable to the use of deposit or current accounts with the IPEA since not all IPEAs provide the same services.

Finally, if the IPEA is not the same national Office or intergovernmental organization as that with which the international application was filed, the deposit or current account with the receiving Office cannot be charged for the purpose of paying the preliminary examination and handling fees due to the IPEA.

The IPEA will not charge fees to deposit or current accounts unless the deposit or current account authorization is signed and indicates the deposit or current account number.

**NOTES TO THE FEE CALCULATION SHEET
(ANNEX TO FORM PCT/IPEA/401)**

The purpose of the fee calculation sheet is to help the applicant to identify the prescribed fees and to calculate the amounts to be paid. It is strongly recommended that the applicant complete, by entering the appropriate amounts in the boxes provided, and submit the fee calculation sheet at the time of filing of the demand. This will help the International Preliminary Examining Authority (IPEA) to verify the calculations and to identify any error in them.

CALCULATION OF PRESCRIBED FEES

Two fees must be paid for international preliminary examination:

- (i) the preliminary examination fee for the benefit of the IPEA (Rule 58.1);
- (ii) the handling fee for the benefit of the International Bureau (Rule 57).

Both fees must be paid to the IPEA within one month from the date on which the demand is submitted or 22 months from the priority date, whichever expires later. The amount payable is the amount applicable on the date of payment (Rules 57.3 and 58.1(b)). The fees must be paid in a currency acceptable to the IPEA.

Information about the amount of those fees or about equivalent amounts in other currencies can be obtained from the IPEA or the receiving Office. This information is also published in the *PCT Applicant's Guide*, Annex E, and from time to time in *Official Notices (PCT Gazette)*.

Box P: The amount of the preliminary examination fee must be entered in Box P.

Box H: The amount of the handling fee must be entered in Box H.

Reductions: Applicants may be entitled to reductions to the examination fee(s), which are indicated in the PCT Fee Tables (<http://www.wipo.int/pct/en/fees.pdf>) and the relevant Annex E of the *PCT Applicant's Guide*. If reduced fees apply, the reduced amount should be indicated in the fee calculation sheet. Applicants may also be entitled to a reduction to the handling fee, which is explained below.

Reduction of the Handling Fee for Applicants from Certain States: An applicant who is a natural person and who is a national of and resides in a State that is listed as being a State whose per capita gross domestic product is below US\$ 25,000 (according to the most recent ten year average per capita gross domestic product figures at constant 2005 US\$ values published by the United Nations), and whose nationals and residents who are natural persons have filed less than 10 international applications per year (per million population) or 50 international applications per year (in absolute numbers) according to the most recent 5-year average yearly filing figures published by the International Bureau; or an applicant, whether a natural person or not, who is a national of and resides in a State that is listed as being classified by the United Nations as a least developed country, is entitled, in accordance with the Schedule of Fees, to a reduction of 90% of certain PCT fees including the handling fee. If there are several applicants, each must satisfy

the above-mentioned criteria. The reduction of the handling fee will be automatically available to any applicant (or applicants) who is (or are) so entitled on the basis of the indications of name, nationality and residence given in Box No. II of the demand.

The fee reduction will be available even if one or more of the applicants are not from PCT Contracting States, provided that each of them is a national and resident of a State that meets the above-mentioned requirements and that at least one of the applicants is a national or resident of a PCT Contracting State and thus is entitled to file an international application.

Information about PCT Contracting States whose nationals and residents are entitled to a reduction of 90% of certain PCT fees, including the handling fee, is contained in the *PCT Applicant's Guide*, Annex C and on the WIPO website (see <http://www.wipo.int/pct/en/>), and is also published and regularly updated in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*.

Calculation of the Handling Fee in Case of Fee Reduction: Where the applicant is (or all applicants are) entitled to a reduction of the handling fee, the total to be entered at Box H is 10% of the handling fee.

Total Box: The total of the amounts inserted in Boxes P and H is the amount which must be paid to the IPEA.

MODE OF PAYMENT

In order to help the IPEA identify the mode of payment of the prescribed fees, it is recommended to mark the applicable check-box(es).

**AUTHORIZATION TO CHARGE
(OR CREDIT) DEPOSIT OR CURRENT ACCOUNT**

The applicant should check whether the IPEA allows the use of deposit or current accounts for payment of PCT fees. In addition, it is recommended that the applicant check what are the specific conditions applicable to the use of deposit or current accounts with the IPEA since not all IPEAs provide the same services.

Finally, if the IPEA is not the same national Office or intergovernmental organization as that with which the international application was filed, the deposit or current account with the receiving Office cannot be charged for the purpose of paying the preliminary examination and handling fees due to the IPEA.

The IPEA will not charge fees to deposit or current accounts unless the deposit or current account authorization is signed and indicates the deposit or current account number.

Section 102bis

~~Filing of PCT-EASY Request Together with PCT-EASY Physical Medium Containing Request Data and Abstract~~

~~[Deleted]~~

~~(a) Pursuant to Rule 89ter, any receiving Office may, if it is prepared to do so, accept the filing with it of an international application containing the request presented as a print-out prepared using the PCT-EASY features of the PCT-SAFE software made available by the International Bureau ("PCT-EASY request") together with a physical medium that has been specified by the receiving Office in accordance with Annex F. Such physical medium shall contain a copy in electronic form of the data contained in the request and of the abstract ("PCT-EASY physical medium").~~

~~(b) Any receiving Office which, under paragraph (a), accepts the filing of PCT-EASY requests together with PCT-EASY physical media shall notify the International Bureau accordingly. The International Bureau shall promptly publish this information in the Gazette.~~

~~(c) Item 4(a) of the Schedule of Fees annexed to the Regulations shall apply to reduce the fees payable in respect of an international application containing a PCT-EASY request filed, together with a PCT-EASY physical medium, with a receiving Office which, under paragraph (a), accepts the filing of such international applications.~~

Section 335

~~Transmittal of PCT-EASY Request Data and Abstract~~

~~[Deleted]~~

~~The request data and abstract contained on a PCT-EASY physical medium furnished to the receiving Office in accordance with Section 102bis shall be transmitted by that Office to the International Bureau, in a form and manner agreed upon by that Office and that Bureau, at the same time as the record copy.~~

[End of Annex II]

CHAPTER II GENERAL

~~Handling of Requests Prepared Using the PCT-EASY Software~~

~~18A. The procedure for the processing by the receiving Office of requests in PCT-EASY format, including entering appropriate indications (international application number, international filing date, etc.) is contained in the *PCT-EASY Manual for PCT Receiving Offices*, available on the PCT-SAFE website; see also paragraphs 165A to 165M. Since PCT-EASY is integrated into PCT-SAFE, all subsequent references in these Guidelines to PCT-EASY would in fact refer to the PCT-EASY features contained within the PCT-SAFE software as of 1 January 2004. A further edition of these Guidelines will include the necessary modifications relating to electronic filing of international applications.~~

CHAPTER VI ARTICLE 14 CHECK AND OTHER FORMAL REQUIREMENTS

FORMAL REQUIREMENTS

Form of the Request

75. The receiving Office checks whether the request is:

(a) made on Form PCT/RO/101;

(b) presented as a computer print-out, the layout and contents of which correspond to the format of Form PCT/RO/101 (Rule 3.1 and Section 102(h));

~~— (c) presented as a computer print-out which appears to be in PCT-EASY format (Rule 3.1 and Section 102bis(a)) accompanied by a PCT-EASY diskette (Section 102bis(a)); or~~

(c) presented in any other format permitted for the presentation of the request as a computer print-out, as may be determined by the Director General; any such format having been published in the *Official Notices (PCT Gazette)* (Section 102(i)).

75A. Where the request is presented as a computer print-out corresponding to the format of Form PCT/RO/101, the receiving Office checks whether that print-out complies with Section 102(h). ~~Where the request is presented as a computer print-out that appears to be in PCT-EASY format, and/or is accompanied by a PCT-EASY diskette, the receiving Office proceeds as outlined in paragraphs 165A to 165M.~~ If neither Form PCT/RO/101 nor a computer print-out complying with the requirements under Section 102(h) is used, the receiving Office draws the applicant's attention to that fact and invites (Form PCT/RO/106) the applicant to fill in a copy (sent together with the invitation) of Form PCT/RO/101 and to return the duly filled-in copy to it within a time limit fixed in the invitation. The filled-in request form may not contain differences in relation to the request filed on the international filing date. Where certain indications concerning the applicant (paragraphs 78 to 87A and 95 to 97), the inventor (paragraphs 88 to 97), the agent or the common representative (paragraphs 117 to 121) do not correspond to indications made on the date on which the international application was filed, the procedure outlined in paragraphs 309 to 312 applies. Where two or more languages are accepted by the receiving Office for the filing of international applications, see paragraph 60. All indications which may be contained in the request are dealt with in the following paragraphs except for those relating to claiming priority and declarations relating to national requirements which are dealt with separately, in Chapters VII and VIIbis, respectively.

75B. The following paragraphs 76 to 128 relate to Form PCT/RO/101 and to computer print-outs corresponding to that Form. ~~As regards requests prepared using the PCT-EASY software, see paragraphs 165A to 165M.~~

The Competent International Searching Authority

115. If the International Searching Authority indicated by the applicant is competent, or if only one International Searching Authority is competent, the receiving Office indicates the name of that Authority on the last sheet of the request. Where more than one International Searching Authority is competent and no indication as to the choice of International Searching Authority is made in Box No. VII of the request, the receiving Office checks whether such indication appears on any other paper filed in connection with the international application, such as the fee calculation sheet, or on any translation submitted for the purposes of international search. Where no such indication is made, the receiving Office invites the applicant to indicate a choice as to the competent Authority within a time limit so fixed in the invitation. Form PCT/RO/132 may be used for that purpose. The time limit so fixed must be reasonable in the circumstances; it shall be not less than 15 days and not more than one month from the date of mailing of the invitation. The invitation may indicate a particular International Searching Authority as the default should the applicant fail to properly respond to the invitation. Where the Office acting as receiving Office is also an International Authority, that Office should generally be set as the default International Searching Authority. The receiving Office proceeds in the same manner where more than one Authority is competent and the applicant has indicated an Authority which is not competent in respect of the application in question. ~~Where more than one International Searching Authority is competent, the applicant may make a change to the choice of Authority if the search copy has not yet been transmitted to the International Searching Authority originally chosen by the applicant.~~ The receiving Office deletes the indication of any non-competent International Searching Authority *ex officio* (paragraphs 161 to 165) and likewise inserts an indication of a competent International Searching Authority determined through the above-mentioned process.

115A. Where more than one International Searching Authority is competent, the applicant may make a change to the choice of Authority if the search copy has not yet been transmitted to the International Searching Authority originally chosen by the applicant.

Abstract

147. The receiving Office checks whether the application contains an abstract as provided for in Article 14(1)(a)(iv) but not whether the abstract complies with Rule 8 (in particular, it is not the receiving Office's responsibility to check whether the abstract contains more than 150 words in English or when translated into English). If the receiving Office invites (Form PCT/RO/106) the applicant to furnish a missing abstract, it notifies the International Bureau and also the International Searching Authority accordingly (Rule 38.1 and paragraph 153). ~~If a request in PCT-EASY format is filed, together with a computer diskette, with a receiving Office which is prepared to accept the filing of the request in that format, the receiving Office also checks that the diskette contains a copy of the abstract in electronic form (paragraphs 165A and 165G).~~

Ex Officio Corrections

~~163A. **Making Ex Officio Corrections in Requests in PCT-EASY Format.** The procedure for the receiving Office to make *ex officio* corrections in PCT-EASY requests is outlined in the *PCT-EASY Manual for PCT Receiving Offices* available on the PCT-SAFE website.~~

CHAPTER VI*bis*
REQUESTS IN PCT-EASY FORMAT

General

~~165A. **Requirements for Requests in PCT-EASY Format.** A request may be presented in the form of a computer-generated print-out in PCT-EASY format (Section 102*bis*). The requirements are that:~~

~~—————(i) the request is presented as a computer print-out prepared using the PCT-EASY software;~~

~~—————(ii) the request is filed together with a computer diskette, prepared using that software and containing a copy in electronic form of the data contained in the request and of the abstract;~~

~~—————(iii) the international application is filed with a receiving Office which is prepared to accept the filing of international applications containing requests in PCT-EASY format together with PCT-EASY diskettes.~~

~~165B. **Reduction of International Filing Fee where PCT-EASY Software Is Used.** The international filing fee (paragraphs 241 to 249A) is reduced by an amount set out in item 4 of the Schedule of Fees, which is annexed to the Regulations, if a request which complies with the requirements of Section 102*bis*(a) is filed using PCT-EASY software and the receiving Office decides to accept the filing of requests in PCT-EASY format (Section 102*bis*(c)).~~

Receiving Office Review of PCT-EASY Requests

~~165C. **Acceptance by Receiving Office of Request in PCT-EASY Format.** The question whether the receiving Office does, in fact, accept the filing of requests in PCT-EASY format is a matter for that Office. The receiving Office may decide to accept the filing of a request in PCT-EASY format even if it has not already notified the International Bureau that it accepts such filings (see Section 102*bis*(a)). (In such a case, however, the receiving Office should then promptly notify the International Bureau accordingly.) Conversely, a receiving Office may, in any particular case, decide not to process PCT-EASY diskettes prepared using the PCT-EASY software, even though that Office has decided to accept the filing of requests in PCT-EASY format; in such case the receiving Office should proceed as outlined in paragraph 165E.~~

~~165D. **Non-Acceptance by Receiving Office of Request in PCT-EASY Format; Transmittal of International Application under Rule 19.4(a)(iii).** If the receiving Office does not accept the filing of requests in PCT-EASY format but the request is filed in that format, the international application does not comply with the requirements of Article 14 (see Rule 3 and Section 102(a)(i)). The receiving Office may invite the applicant to comply with those requirements by filing a request corresponding to Form PCT/RO/101, as outlined in paragraph 75. If the reduced international filing fee has been paid, the receiving Office also notifies the applicant that the conditions for applying the fee reduction related to the use of PCT-EASY software are not satisfied and invites the applicant to pay the missing amount (Section 304 and, if applicable, Rule 16*bis*; see paragraphs 258 to 265).~~

~~165E. Alternatively, the receiving Office promptly requests the International Bureau as receiving Office to agree, in accordance with the procedure outlined in paragraphs 278 to 281, to the transmittal of the international application under Section 333(b) and (c). The receiving Office should also proceed in this manner in any particular case in which it decides not to process PCT-EASY diskettes prepared using the PCT-EASY software, even though it has decided to accept the filing of requests in PCT-EASY format (paragraph 165C).~~

Correction of Defects in PCT-EASY Requests

~~165F. **Checking of Request in PCT-EASY Format.** If a request in PCT-EASY format is filed with a receiving Office which is prepared to accept the filing of that request in that format, that Office checks whether the request does indeed appear to be a computer-generated print-out prepared using the PCT-EASY software and is not, for example, a print-out or other paper document prepared using word-processing or other software or a typewriter.~~

~~165G. The receiving Office also checks whether the request is accompanied by a computer diskette. If it is, the receiving Office first checks whether that diskette contains any computer viruses before processing it. If the diskette is virus-free, the receiving Office then checks and processes the diskette using the features of the PCT-EASY software designed especially for receiving Office use, as explained in the *PCT-EASY Manual for PCT Receiving Offices* available on the PCT-SAFE website. In particular, the receiving Office checks that the diskette has been prepared using the PCT-EASY software and that it contains both a copy of the data contained in the request and a copy of the abstract.~~

~~165H. The receiving Office also carries out the same checks on the contents of a request presented as a computer print-out that are carried out in the case of a request presented on Form PCT/RO/101.~~

~~165I. **Request Not in PCT-EASY Format Filed with PCT-EASY Diskette.** If the international application contains a request which is not in PCT-EASY format (for example, a request corresponding to Form PCT/RO/101) but a PCT-EASY diskette is furnished together with the application papers, the receiving Office notifies the applicant that the conditions for applying the fee reduction related to the use of PCT-EASY software are not satisfied and invites the applicant to pay the missing amount (Section 304 and, if applicable, Rule 16*bis*, see paragraphs 258 to 265) unless a substitute request in PCT-EASY format is filed immediately (that is before the receiving Office transmits the record copy to the International Bureau).~~

~~165J. If a PCT-EASY diskette is filed with a request that is not in the PCT-EASY format and does not correspond to Form PCT/RO/101, the receiving Office proceeds as outlined in paragraph 75A. If a PCT-EASY diskette is filed alone, the requirements for according an international filing date are not fulfilled and the receiving Office proceeds as outlined in paragraphs 45 to 47. If, in either case, a reduced international filing fee has been paid, the receiving Office notifies the applicant that the conditions for applying the fee reduction related to the use of the PCT-EASY software are not satisfied and invites the applicant to pay the missing amount (Section 304 and, if applicable, Rule 16*bis*, see paragraphs 258 to 265).~~

~~165K. **Correction of Request in PCT-EASY Format.** The receiving Office invites (Form PCT/RO/106) the applicant to correct any defects in a request in PCT-EASY format within a time limit fixed in the invitation. A correction which is stated in a letter and is not accompanied by a replacement print-out of the entire request prepared using the PCT-EASY software is acceptable if it is of such a nature that the correction can be transferred *ex officio* by the receiving Office onto the request part of the record copy without affecting the clarity and direct reproducibility of the sheet on to which the correction is to be transferred (Rule 26.4). Otherwise, the applicant should be required to submit a replacement print-out of the entire request, or, as the case may be, one or more replacement sheets embodying the correction in the form of a print-out, prepared using the PCT-EASY software, accompanied by a letter drawing attention to the differences between the replaced print-out and the replacement print-out (Rule 26.4). A replacement diskette is not required, and, if it is furnished, it will not be processed.~~

~~165L. **Request in PCT-EASY Format Filed without PCT-EASY Diskette.** If the PCT-EASY diskette is not filed with the request in PCT-EASY format, the receiving Office informs the applicant that the request does not comply with the requirements of Section 102*bis*(a) and~~

~~invites the applicant (Form PCT/RO/106) to comply with those requirements, either by filing the required diskette immediately (that is before the receiving Office transmits the record copy to the International Bureau), or by filing a request corresponding to Form PCT/RO/101 (see paragraph 75A). Where a reduced international filing fee has been paid, the receiving Office also notifies the applicant that the conditions for applying the fee reduction related to the use of PCT-EASY software are not satisfied and invites the applicant to pay the missing amount (Section 304 and, if applicable, Rule 16bis, see paragraphs 258 to 265) unless such required diskette is filed immediately (that is before the receiving Office transmits the record copy to the International Bureau).~~

~~165M. **PCT-EASY Diskette Is Defective or Incomplete.** If the receiving Office finds that a diskette purporting to be a PCT-EASY diskette contains no data (for example, the diskette is blank) or incomplete data (for example, the text of the abstract is missing), or is unreadable (for example, it is found to contain a computer virus), it proceeds as though the request in PCT-EASY format had been filed without a PCT-EASY diskette (see paragraph 165L).~~

CHAPTER X REFERENCES TO DEPOSITED MICROORGANISMS OR OTHER BIOLOGICAL MATERIAL

References to Deposited Microorganisms or Other Biological Material as Part of the Description

229. The national law of certain States requires that references to deposited microorganisms or other biological material furnished under Rule 13bis.3(a) be included in the description (*PCT Applicant's Guide*, Volume I, Annex L). Where indications are presented on a separate sheet such as Form PCT/RO/134 ~~(which may be prepared using the PCT-EASY software)~~, the applicant should number that sheet as a sheet of the description (preferably at the end of the description within the second series referred to in Section 207). In such a case, the check-box in Box No. IX of the request referring to separate indications relating to deposited microorganisms or other biological material should not be marked. Where references to deposited microorganisms or other biological material are made on a separate sheet, that sheet shall preferably be furnished together with the request and referred to in the check list (Section 209(a)). 230. Where sheets containing references to deposited microorganisms or other biological material, as defined in Rule 13bis, are filed on the same date as the international application but separately from the description, that is, not numbered as part of the international application (for example, on Form PCT/RO/134), the receiving Office may draw the applicant's attention to the fact that the national law of certain States requires that the indications concerned be included in the description.

CHAPTER XI FEES

~~246A. **Reduction of International Filing Fee where the Request Is Filed Using PCT-EASY Software.** The international filing fee is reduced by an amount set out in item 4(a) of the Schedule of Fees, which is annexed to the Regulations, if a request which complies with the requirements of Section 102bis(a) is filed using PCT-EASY software and the receiving Office decides to accept the filing of requests in PCT-EASY format (Section 102bis(c); see also paragraphs 165A and 165B).~~

247. **Reduction of International Filing Fee for Applicants from Certain States.** An applicant who is a natural person and who is a national of and resides in a State [that is listed as being a State](#) whose *per capita* national income is below 3,000 US dollars (according to the average per capita national income figures used by the United Nations for determining its scale

~~of assessments for the contributions payable for the years 1995, 1996 and 1997), or who is a national of and resides in one of the following States: Antigua and Barbuda, Bahrain, Barbados, Libya, Oman, the Seychelles, Singapore, Trinidad and Tobago and the United Arab Emirates~~gross domestic product is below US\$25,000 (according to the most recent ten-year average per capita gross domestic product figures at constant 2005 US\$ values published by the United Nations), and whose nationals and residents who are natural persons have filed less than 10 international applications per year (per million population) or 50 international applications per year (in absolute numbers) according to the most recent 5-year average yearly filing figures published by the International Bureau, or an applicant, whether a natural person or not, who is a national of and resides in a State that is listed as being classified by the United Nations ~~classed~~ as a least developed country ~~by the United Nations~~ is entitled, in accordance with the Schedule of Fees, to a reduction of 90% of certain PCT fees including the international filing fee. Information about the PCT Contracting States whose nationals and residents are entitled to such reduction is contained in the *PCT Applicant's Guide*, International Phase, Annex C. If there are several applicants, each must satisfy the above-mentioned criteria. The reduction of the international filing fee applies automatically to any international application whose applicant or applicants are so entitled on the basis of the indications of name, nationality and residence given in Boxes Nos. II and III of the request. No specific request for such reduction need to be made by the applicants concerned.

248. The fee reduction is available even if one or more of the applicants are not from Contracting States, provided that each of them is a national and resident of a State that meets the above-mentioned criteria and that at least one of the applicants is a national or resident of a Contracting State and thus is entitled to file an international application. For the Contracting States whose nationals and residents are eligible, see the *PCT Applicant's Guide, Volume I*, Annex C and on the WIPO website (see www.wipo.int/pct/en/), and is also published and regularly updated in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*. For States which are not Contracting States, the receiving Office should contact the International Bureau.

~~249A. The reduction of the international filing fee for applicants from certain States is calculated on the basis of the amount of the international filing fee payable after any separate reduction related to the use of the PCT-EASY software (see paragraph 246A).~~

~~284A. **Requests in PCT-EASY Format.** Where the request is presented in PCT-EASY format (paragraph 165A), the receiving Office prepares additional copies of the computer print-out of that request as part of any additional copies of the international application that it is responsible for preparing under Rule 21.1, as outlined in paragraphs 283 and 284.~~

~~285A. Where the request is in PCT-EASY format (paragraph 165A), the receiving Office transmits the computer print-out of the request, as part of the record copy, together with the PCT-EASY diskette. The receiving Office should not transmit a copy of the PCT-EASY computer diskette, or a copy of any replacement PCT-EASY computer diskette, filed by the applicant.~~

CHAPTER XIII RECORD COPY, SEARCH COPY AND HOME COPY

Documents and Diskettes Not to Be Transmitted to the International Searching Authority

294. Annexes or appendices which are not intended to be part of the international application should not be transmitted to the International Searching Authority (paragraphs 149 to 152). Copies of assignments of the rights to the application should not be transmitted since they are not required for the international phase. Replacement sheets which are filed by the applicant but either are not required or are not accepted by the receiving Office, should similarly not be

transmitted. ~~The receiving Office should also not transmit PCT-EASY computer diskettes filed with requests in PCT-EASY format referred to in paragraph 165A.~~

**ANNEX A
TRANSFER OF FEES**

Transfer of fees to the International Bureau

Receiving Office: _____

Currency: _____ Date of transmittal: _____

PCT Number	International filing fee ($I=i1+i2+i3$)			Reductions (r)			Reduced International filing fee ($i1+i2+i3-r$) ($i1+i2+i3-r$) or ($i1+i2+i3-r$) x 25 <u>10</u> %, as applicable
	Applicant (first named in request)	first 30 sheets (i1)	fee per sheet over 30 (i2)	additional component (i3)	PCT-EASY [column to be deleted]	Electronic filing (the request in character coded format)	
TOTAL							

[End of Annex III]
