

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

FEES PAYABLE UNDER THE PCT

Japan

Pursuant to PCT Rule 16.1(d), a new amount in Yen, as indicated below, has been established for the search fee for an international search by the European Patent Office. The new amount is applicable as from February 9, 1987.

Search fee (international search by the European Patent Office):	171,100
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[Updating of PCT Gazette No. 02/1987, Annex D (EP), page 334, published on the same day as the present issue of the PCT Gazette]

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

STATISTICS RELATING TO RECORD COPIES RECEIVED BY THE INTERNATIONAL BUREAU

GUIDANCE NOTE CONCERNING STATISTICS

Certain codes are used in the statistical tables to indicate the identity of receiving Offices and of designated States. These codes have been taken from the "Code for Identifying States and Organizations" contained in Annex B* to the Administrative Instructions under the Patent Cooperation Treaty (PCT). The codes and the States to which they refer are set out at the foot of this note.

In the case of receiving Offices, the codes indicate the Contracting State of the Patent Cooperation Treaty (PCT) for which the receiving Office is the national industrial property office except in the case of the European Patent Office which acts (as well as the national industrial property office) as receiving Office for the Contracting States of the PCT which are also party to the European Patent Convention. In the statistical table relating to the designations of States, the figures shown relate to the indications as to designations contained in the record copies as received by the International Bureau of WIPO and notified by it to the designated Offices. Against the code of each designated State, the abbreviations "NAT" and/or "EPO" and/or "OAPI" are indicated. These abbreviations mean that, for the designated State, a national patent ("NAT") and/or a European patent ("EPO") and/or a patent granted by the African Intellectual Property Office ("OAPI") is sought.

AT	Austria	KR	Republic of Korea
AU	Australia	LK	Sri Lanka
BB	Barbados	LU	Luxembourg
BE	Belgium	MC	Monaco
BG	Bulgaria	MG	Madagascar
BR	Brazil	ML	Mali
CF	Central African Republic	MR	Mauritania
CG	Congo	MW	Malawi
CH	Switzerland	NL	Netherlands
CM	Cameroon	NO	Norway
DE	Germany, Federal Republic of	RO	Romania
DK	Denmark	SD	Sudan
FI	Finland	SE	Sweden
FR	France	SN	Senegal
GA	Gabon	SU	Soviet Union
GB	United Kingdom	TD	Chad
HU	Hungary	TG	Togo
IT	Italy	US	United States of America
JP	Japan	EP	European Patent Office
KP	Democratic People's Republic of Korea		

* Published on pages 3566 and 3567 of PCT Gazette No. 29/1984.

DESIGNATIONS OF STATES BROKEN DOWN ACCORDING TO RECEIVING OFFICES

(From 1 January 1986 to 31 December 1986)

Designated States		Receiving Offices														
		AT	AU	BE	BG	BR	CH	DE	DK	FI	FR	GB	HU	IT	JP	KR
AT	EPO	062	329	027	001	017	154	420	126	091	308	630	055	081	119	018
	NAT	-	018	-	-	008	009	009	029	017	006	040	008	008	008	-
AU	NAT	029	348	015	-	010	064	123	082	059	150	404	023	069	133	012
BB	NAT	005	034	-	-	007	017	018	018	008	018	070	-	045	005	001
BE	EPO	070	335	024	-	017	155	418	131	090	335	650	052	081	132	018
BG	NAT	014	040	-	-	008	024	031	026	011	028	082	017	050	006	003
BR	NAT	022	130	013	-	009	050	098	048	039	116	195	017	067	042	011
CF	OAPI	007	033	003	-	004	018	028	032	005	050	074	-	050	007	005
CG	OAPI	007	033	003	-	004	018	028	032	005	050	074	-	050	007	005
CH	EPO	075	336	028	001	021	158	431	126	086	331	653	052	079	193	018
	NAT	005	020	-	-	008	010	012	029	015	008	040	007	009	012	-
CM	OAPI	007	033	003	-	004	018	028	032	005	050	074	-	050	007	005
DE	EPO	075	350	029	001	023	163	427	133	117	364	715	061	082	537	019
	NAT	007	044	-	-	008	015	021	034	049	017	059	014	017	078	001
DK	NAT	031	138	014	-	008	054	106	078	086	112	283	026	062	039	004
FI	NAT	030	095	009	-	008	047	088	091	026	082	197	029	056	029	003
FR	EPO	075	354	028	001	022	168	456	131	117	270	705	063	084	531	019
GA	OAPI	007	033	003	-	004	018	028	032	005	050	074	-	050	007	005
GB	EPO	072	347	029	001	022	166	445	132	113	365	666	059	086	534	019
	NAT	005	100	-	-	008	011	020	032	037	020	188	012	008	071	001
HU	NAT	028	054	002	001	008	030	057	043	027	040	103	001	050	018	004
IT	EPO	075	343	028	001	021	166	434	129	101	363	684	061	068	260	019
JP	NAT	064	342	026	001	021	159	446	105	106	383	681	049	080	106	017
KP	NAT	008	052	001	-	008	023	033	034	011	037	084	001	049	-	-
KR	NAT	015	138	004	-	014	043	088	040	023	090	189	019	053	278	002
LK	NAT	006	041	-	-	008	021	022	028	009	023	080	-	048	008	002
LU	EPO	068	312	027	-	016	144	398	124	066	301	624	042	075	081	018
	NAT	002	017	-	-	008	009	009	028	009	008	034	001	008	002	-
MC	NAT	006	040	-	-	008	028	029	032	011	044	077	-	053	006	001
MG	NAT	006	036	-	-	008	020	024	030	009	028	074	-	049	004	001
ML	OAPI	007	033	003	-	004	018	028	032	005	050	074	-	050	007	005
MR	OAPI	007	033	003	-	004	018	028	032	005	050	074	-	050	007	005
MW	NAT	006	038	-	-	008	020	023	031	008	022	075	002	049	004	002
NL	EPO	071	340	029	-	019	158	427	134	092	343	678	053	081	214	018
	NAT	004	030	-	-	008	010	010	031	025	011	040	004	008	016	-
NO	NAT	028	127	009	-	008	054	088	101	093	108	254	027	062	034	005
RO	NAT	012	048	-	-	008	028	044	035	013	033	086	014	051	009	003
SD	NAT	006	041	001	-	008	021	021	024	008	023	069	-	049	005	001
SE	EPO	071	341	027	-	016	160	420	134	113	331	668	052	082	179	019
	NAT	004	031	-	-	008	009	009	032	046	012	039	007	008	009	001
SN	OAPI	007	033	003	-	004	018	028	032	005	050	074	-	050	007	005
SU	NAT	026	091	007	001	009	048	092	049	088	079	143	039	062	035	006
TD	OAPI	007	033	003	-	004	018	028	032	005	050	074	-	050	007	005
TG	OAPI	007	033	003	-	004	018	028	032	005	050	074	-	050	007	005
US	NAT	074	387	032	001	024	168	487	124	131	423	707	061	086	671	017
<i>Sub-Total National</i>		443	2480	133	004	246	992	2008	1234	964	1921	4293	378	1156	1628	098
<i>Sub-Total European</i>		714	3387	276	006	194	1592	4276	1300	986	3311	6673	550	799	2780	185
<i>Sub-Total OAPI</i>		063	0297	027	-	036	162	252	288	045	450	666	-	450	063	045
Total of Designations		1220	6164	436	010	476	2746	6536	2822	1995	5682	11632	928	2405	4471	328

Note: During the period reported upon in this table, the International Bureau received no record copies from the Patent Offices of the Democratic People's Republic of Korea, Malawi and Sudan acting as receiving Offices. Neither did the International Bureau receive any international application in its capacity of a receiving Office acting for Barbados.

DESIGNATIONS OF STATES BROKEN DOWN ACCORDING TO RECEIVING OFFICES

(From 1 January 1986 to 31 December 1986)

Receiving Offices											Total of Designations	Designated States	
LK*	LU	MC	NL	NO	OA**	RO	SE	SU	US	EP			
002	002	001	035	059	001	—	548	029	1965	595	5675	AT	EPO
—	—	—	—	005	001	—	073	020	139	020	418		NAT
002	—	001	019	039	001	—	292	032	1327	239	3473	AU	NAT
002	—	—	002	008	001	—	062	—	177	051	549	BB	NAT
002	002	001	035	065	001	—	543	013	2102	596	5868	BE	EPO
002	—	—	002	011	001	—	080	001	196	065	698	BG	NAT
002	—	001	012	031	001	001	177	022	798	187	2089	BR	NAT
002	—	001	001	008	001	—	048	—	170	051	598	CF	OAPI
002	—	001	001	008	001	—	048	—	170	051	598	CG	OAPI
002	002	001	036	062	001	001	546	039	2060	604	5942	CH	EPO
—	—	—	—	005	001	—	073	005	198	021	478		NAT
002	—	001	001	008	001	—	048	—	170	051	598	CM	OAPI
002	002	001	037	072	001	001	572	076	2541	618	7019	DE	EPO
—	—	003	002	010	001	—	105	039	346	044	914		NAT
002	—	001	017	053	001	—	409	012	804	223	2563	DK	NAT
002	001	—	010	052	001	—	422	036	660	166	2140	FI	NAT
002	002	001	037	073	001	001	569	073	2580	638	7001	FR	EPO
002	—	001	001	008	001	—	048	—	170	051	598	GA	OAPI
002	002	001	037	069	001	001	571	067	2538	630	6975	GB	EPO
—	—	003	001	014	001	—	100	036	360	036	1064		NAT
002	—	—	004	014	001	—	100	040	297	109	1033	HU	NAT
002	002	001	037	067	001	001	556	073	2306	617	6416	IT	EPO
002	002	003	035	061	001	—	464	106	2569	570	6399	JP	NAT
002	—	—	002	015	001	—	084	—	248	067	760	KP	NAT
002	—	001	006	020	001	—	137	—	993	186	2342	KR	NAT
002	—	—	002	008	001	—	070	—	198	053	630	LK	NAT
002	001	001	034	047	001	—	516	002	1896	547	5343	LU	EPO
—	—	—	—	002	001	—	063	002	127	024	354		NAT
002	—	—	002	008	001	—	069	—	202	058	677	MC	NAT
002	—	—	002	008	001	—	066	—	184	053	605	MG	NAT
002	—	001	001	008	001	—	048	—	170	051	598	ML	OAPI
002	—	001	001	008	001	—	048	—	170	051	598	MR	OAPI
002	—	—	002	008	001	—	064	—	185	053	603	MW	NAT
002	002	001	037	067	001	—	548	022	2222	600	6159	NL	EPO
—	—	001	—	007	001	—	074	005	220	020	525		NAT
002	—	001	012	031	001	—	409	013	799	184	2450	NO	NAT
002	—	—	002	015	001	—	083	006	293	075	861	RO	NAT
002	—	—	002	008	001	—	068	—	181	051	590	SD	NAT
002	002	001	036	072	001	—	513	053	2141	612	6046	SE	EPO
—	—	001	—	013	001	—	064	018	224	022	558		NAT
002	—	001	001	008	001	—	048	—	170	051	598	SN	OAPI
002	—	003	010	027	001	—	154	—	417	143	1532	SU	NAT
002	—	001	001	008	001	—	048	—	170	051	598	TD	OAPI
002	—	001	001	008	001	—	048	—	170	051	598	TG	OAPI
002	002	003	040	072	001	001	550	079	292	606	5041	US	NAT
038	005	022	186	545	026	002	4312	472	12434	3326	39346	<i>Sub-Total National</i>	
020	019	010	361	653	010	005	5482	447	22351	6057	62444	<i>Sub-Total European</i>	
018	—	009	009	072	009	—	432	—	1530	459	5382	<i>Sub-Total OAPI</i>	
076	024	041	556	1270	045	007	10226	919	36315	9842	107172	Total of Designations	

* The International Bureau acts as receiving Office for Sri Lanka.

** The International Bureau acts as receiving Office for OAPI. One international application was received from Mauritania; no international application was received from: Cameroon, the Central African Republic, Chad, Congo, Gabon, Mali, Senegal or Togo.

RECORD COPIES RECEIVED BROKEN DOWN
ACCORDING TO RECEIVING OFFICES AND LANGUAGES OF FILING

(From 1 January 1986 to 31 December 1986)

RECEIVING OFFICES	LANGUAGES										Total Number of Record Copies Received
	Danish	Dutch	English	Finnish	French	German	Japanese	Norwegian	Russian	Swedish	
AT	—	—	—	—	—	080	—	—	—	—	080
AU	—	—	396	—	—	—	—	—	—	—	396
BE	—	001	009	—	025	—	—	—	—	—	035
BG	—	—	—	—	—	—	—	—	001	—	001
BR	—	—	024	—	—	—	—	—	—	—	024
CH	—	—	—	—	049	132	—	—	—	—	181
DE	—	—	—	—	—	518	—	—	—	—	518
DK	072	—	069	—	—	—	—	—	—	—	141
FI	—	—	076	063	—	—	—	—	—	005	144
FR	—	—	—	—	448	—	—	—	—	—	448
GB	—	—	781	—	—	—	—	—	—	—	781
HU	—	—	045	—	—	032	—	—	—	—	077
IT	—	—	078	—	012	002	—	—	—	—	092
JP	—	—	043	—	—	—	647	—	—	—	690
KR	—	—	016	—	—	—	005	—	—	—	021
LK*	—	—	002	—	—	—	—	—	—	—	002
LU	—	—	—	—	—	002	—	—	—	—	002
MC	—	—	—	—	003	—	—	—	—	—	003
NL	—	017	024	—	001	—	—	—	—	—	042
NO	—	—	043	—	—	—	—	040	—	—	083
OA**	—	—	001	—	—	—	—	—	—	—	001
RO	—	—	001	—	—	—	—	—	—	—	001
SE	—	—	300	—	—	—	—	—	—	294	594
SU	—	—	—	—	—	—	—	—	117	—	117
US	—	—	2784	—	—	—	—	—	—	—	2784
EP	—	—	125	—	004	565	—	—	—	—	694
Total Number of Record Copies Received	072	018	4817	063	542	1331	652	040	118	299	7952

Note: During the period reported upon in this table, the International Bureau received no record copies from the Patent Offices of the Democratic People's Republic of Korea, Malawi and Sudan acting as receiving Offices. Neither did the International Bureau receive any international application in its capacity of a receiving Office acting for Barbados.

* The International Bureau acts as receiving Office for Sri Lanka.

** The International Bureau acts as receiving Office for OAPI. One international application was received from Mauritania; no international application was received from: Cameroon, the Central African Republic, Chad, Congo, Gabon, Mali, Senegal or Togo.

FEES PAYABLE UNDER THE PCT

United States of America

Pursuant to PCT Rule 16.1(d), a new amount in US Dollars (USD), as indicated below, has been established. The new amount is applicable as from April 1, 1987.

Search fee (European Patent Office): 1,180

[Updating of PCT Gazette No. 02/1987, Annex D (EP), page 334]

INTERNATIONAL BUREAU

Non-Working Days

For the purpose of computing time limits under PCT Rule 80.5*, the days on which the International Bureau is not open for business are, for the period from February 1, 1987 to February 1, 1988, the following:

all Saturdays and Sundays and
April 17, 1987
April 20, 1987
May 28, 1987
June 8, 1987
September 10, 1987
December 24, 1987
December 25, 1987
December 31, 1987
January 1, 1988

It is important to note that the days indicated above concern only the International Bureau and not the national Offices and other international organizations.

* Rule 80.5 Expiration on a Non-Working Day

"If the expiration of any period during which any document or fee must reach a national Office or intergovernmental organization falls on a day on which such Office or organization is not open to the public for the purposes of the transaction of official business, or on which ordinary mail is not delivered in the locality in which such Office or organization is situated, the period shall expire on the next subsequent day on which neither of the said two circumstances exists."

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

FEES PAYABLE UNDER THE PCT

European Patent Office

The European Patent Office has established new amounts in French Franc (FRF), Swedish Krona (SEK) and Lira (ITL) of fees fixed in the EPO's Schedule of Fees as specified below. The new amounts, which correspond to the fees published in PCT Gazette No. 02/1987 of January 15, 1987, are applicable as from March 26, 1987.

<u>Kind of Fee</u>	<u>Amount</u>		
	French Franc	Swedish Krona	Lira
Transmittal fee	630	710	137,000
Fee for priority document (PCT Rule 17.1(b))	110	125	24,000
Search fee (for an international search)	7,190	8,090	1,552,000
Preliminary examination fee	7,270	8,190	1,570,000
Fee for copies (per A4 page)	4.50	5	1,000
National fee	1,920	2,160	415,000
Search fee (for a European patent)	6,140	6,910	1,326,000
European designation fee	960	1,080	207,000
Claims fee	220	250	48,000
Examination fee	7,270	8,190	1,570,000
Renewal fee for the third year	1,580	1,780	341,000

[Updating of PCT Gazette No. 02/1987, Annex D (EP), page 334, and Annex E (EP), page 342, and information on new equivalent amounts for fees indicated in Annex C (EP), page 311, and Summary (EP), pages 361 and 362]

INFORMATION ON CONTRACTING STATES

Japan

The Japanese Patent Office has notified the International Bureau of modifications concerning the languages into which international preliminary examination reports must be translated. The requirement of that Office under PCT Rule 72.1(a) reads as follows:

Languages into which the international preliminary examination report must be translated by the International Bureau

English or Japanese (at applicant's option) if the international preliminary examination report is not in one of those languages

[Updating of PCT Gazette No. 02/1987, Annex B1 (JP), page 263]

REFERENCES TO DEPOSITS OF MICROORGANISMS

INSTITUTIONS WITH WHICH DEPOSITS MAY BE MADE

Hungary

Pursuant to PCT Rule 13bis.7(b), the National Office of Inventions of Hungary has notified the International Bureau that deposits of microorganisms for the purposes of patent procedure can no longer be made with the National Collection of Microorganisms (HNCM). The validity of an earlier deposit with HNCM is not affected thereby; it will be taken over and handled by the National Collection of Agricultural and Industrial Microorganisms, Department of Microbiology, University of Horticulture (NCAIM).

[Updating of PCT Gazette No. 02/1987, Annex M1, page 348, and Annex M2, page 352]

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

INFORMATION ON CONTRACTING STATES

United States of America

On April 1, 1987, the United States of America notified, under PCT Article 64(6)(b), the withdrawal of its declaration under PCT Article 64(1)(a) that it shall not be bound by the provisions of Chapter II of the PCT. Thus, the United States of America will become bound by Chapter II of the PCT on July 1, 1987.

The withdrawal of the said declaration has the effect that, on and after July 1, 1987,

(a) nationals and residents of the United States of America may submit demands for international preliminary examination of international applications filed by them;

(b) the United States of America may be elected in demands for international preliminary examination or in later elections submitted in respect of international applications in which the United States of America is a designated State;

(c) paragraphs (a) and (b) apply irrespective of whether the international application was or will be filed before, on or after July 1, 1987.

[Updating of PCT Gazette No. 02/1987, Annex A, page 231, Annex B1 (US), page 295, and Summary (US), page 382]

DESIGNATED (OR ELECTED) OFFICES

Notifications under PCT Rule 49.1(a-bis)

The International Bureau has received notifications under PCT Rule 49.1(a-bis) from the Contracting States and the Intergovernmental Organization listed below. According to these notifications, the furnishing, by the applicant, under PCT Article 22, of a copy of the international application to the designated Office is not required even though the communication by the International Bureau under PCT Article 20 and PCT Rule 47 of a copy of the international application has not taken place by the expiration of the applicable time limit under PCT Article 22. Pursuant to PCT Rule 76.5, these notifications concern also the furnishing of a copy of the international application under PCT Article 39(1), if applicable.

Australia	Monaco
Barbados	Netherlands
Bulgaria	Norway
Democratic People's Republic of Korea	Republic of Korea
Denmark	Romania
Finland	Soviet Union
Germany (Federal Republic of)	Sri Lanka
Hungary	Sudan
Japan	Sweden
Luxembourg	Switzerland
Malawi	

European Patent Organisation

[Updating of the list published in PCT Gazette No. 14/1986, pages 2367 and 2368]

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES

AGREEMENT BETWEEN THE UNITED STATES PATENT AND TRADEMARK OFFICE AND THE INTERNATIONAL BUREAU OF WIPO*

The "Agreement between the United States Patent and Trademark Office and the International Bureau of WIPO concerning the functions of the United States Patent and Trademark Office in the capacity of an International Searching Authority appointed under the Patent Cooperation Treaty" has been amended in order to include the functions of the United States Patent and Trademark Office in the capacity of an International Preliminary Examining Authority appointed under the PCT. The amendments will enter into effect on July 1, 1987.

The amended Agreement is reproduced below.

Agreement between the UNITED STATES PATENT AND TRADEMARK OFFICE and THE INTERNATIONAL BUREAU OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION concerning the functions of the United States Patent and Trademark Office in the capacity of an International Searching and Preliminary Examining Authority appointed under the Patent Cooperation Treaty

Preamble

The United States Patent and Trademark Office and the International Bureau of the World Intellectual Property Organization agree to conclude the following Agreement under Articles 16(3)(b) and 32(3) of the Patent Cooperation Treaty:

* Published in PCT Gazette No. 02/1978, pages 139 to 145, PCT Gazette No. 03/1978, page 180, PCT Gazette No. 21/1982, page 2359, PCT Gazette No. 23/1983, page 2483, PCT Gazette No. 16/1985, page 2261 and PCT Gazette No. 20/1985, page 2852.

Article 1

Terminology Used in the Agreement

- (1) For the purpose of this Agreement:
 - (a) "Treaty" means the Patent Cooperation Treaty;
 - (b) "Regulations" means the Regulations under the Treaty;
 - (c) "Administrative Instructions" means the Administrative Instructions under the Treaty;
 - (d) "Article" (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
 - (e) "Rule" means a Rule of the Regulations;
 - (f) "Authority" refers to the United States Patent and Trademark Office acting in the capacity of an International Searching and Preliminary Examining Authority pursuant to this Agreement and appointed under the Treaty;
 - (g) "International Bureau" means the International Bureau as defined in Article 2(xix); and
 - (h) "Gazette" means the publication referred to in Article 55(4).

Article 2

Basic Obligations

(1) The Authority will, except in respect to subject matter which pursuant to Article 6 of this Agreement the Authority is not required to search or to examine, carry out international searches and international preliminary examinations and perform such other functions as are specifically provided for by the Treaty, the Regulations, this Agreement, and the Administrative Instructions. In carrying out an international search and an international preliminary examination, the Authority shall be guided by the Guidelines for International Search and for International Preliminary Examination to be Carried Out under the Patent Cooperation Treaty. The Authority undertakes to apply and observe all the common rules of international search and of international preliminary examination.

(2) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, this Agreement, and the Administrative Instructions, each render, to the extent considered to be appropriate by both the Authority and the International Bureau, assistance to the other in relation to the performance, by the other, of its functions thereunder.

Article 3

Competence of the Authority

(1) Subject to Article 6 of this Agreement, the Authority undertakes to act as an International Searching Authority for all international applications (i) filed with the receiving Office of, or acting for, the States specified in Annex A of this Agreement, and (ii) filed in or translated into the languages specified in Annex A of this Agreement.

(2) Subject to Article 6 of this Agreement, the Authority undertakes to act as an International Preliminary Examining Authority for all international applications (i) filed with the receiving Office of, or acting for, the States specified in Annex A of this Agreement, and (ii) filed in or translated into the languages specified in Annex A of this Agreement.

Article 4

Minimum Personnel Requirements

(1) The Authority shall, for the purposes of carrying out international search and international preliminary examination, make available the staff at its disposal, to the extent required by the workload, having sufficient technical qualifications to carry out such search and examination in all technical fields except those referred to in Article 6 of this Agreement. The staff of the Authority shall be maintained at a level exceeding the minimum requirement as set out in Rules 36.1(i) and 63.1(i).

(2) The Authority shall maintain, or otherwise secure assistance by, a staff which has the language facilities to understand at least those languages in which the minimum documentation referred to in Rule 34 is written or is translated.

Article 5

Documentation Facilities

The Authority shall maintain and use all documentation facilities ordinarily at the disposal of the staff referred to in Article 4(1) of this Agreement for search and examination purposes, and shall maintain and use for the said purposes at least the minimum documentation facilities prescribed by Rules 36.1(ii) and 63.1(ii).

Article 6

Subject Matter not Required to be Searched

In accordance with Articles 17(2)(a)(i) and 34(4)(a)(i), the Authority will not be obligated to search or examine any of the subject matter specified in Rule 39.1 or Rule 67.1 except for subject matter specified in Annex B of this Agreement.

Article 7

Fees

(1) A schedule of all fees charged by the Authority in relation to its functions as an International Searching and Preliminary Examining Authority is set out in Annex C of this Agreement.

(2) The Authority shall, to the extent and under the conditions set out in Annex C of this Agreement, refund the paid search fees in whole or in part.

Article 8

Review of Protest

The Commissioner of Patents and Trademarks or his designee shall examine protests in respect of additional fees where such additional fees are paid under protest pursuant to Rule 40.2(c) or Rule 68.3(c).

Article 9

[Deleted]

Article 10

Classification

The Authority, in addition to applying the International Patent Classification to a particular subject matter, may also apply the United States Patent Classification.

Article 11

Language of Correspondence Used by the Authority

For the purposes of correspondence, including forms, the Authority shall use the English language.

Article 12

Patent Information Services and Technical Assistance

The Authority shall cooperate with the International Bureau in providing patent information services and such other contributions to the technical assistance program under Chapter IV of the Treaty as are both practicable within the facilities of the Authority and as may be agreed.

Article 13

Entry into Force of the Agreement

This Agreement shall enter into force, after approval by the Assembly, on the date of signature thereof. The Agreement together with an indication of the date of its entry into force shall be published in the Gazette by the International Bureau.

Article 14

Duration and Renewability of the Agreement

Subject to Article 16 of this Agreement, this Agreement shall remain in force for a period of 10 years. It shall be renewable for a period of 10 years subject to the approval of, and the extension of the appointment of the Authority for that period by, the Assembly.

Article 15

Amendment

(1) Without prejudice to paragraphs (2) to (4) below, amendments may be made to this Agreement by agreement between the Authority and the International Bureau and shall take effect on the date on which those amendments are approved by the Assembly, or, if a later date is specified in the amendments, on that later date.

(2) Annex A may be amended by the Authority at any time. Any amendment adding a State or language will be made by notification from the Authority to the International Bureau and shall take effect one month from the date of publication in the Gazette. Any amendment deleting a State or language will be made by notification from the Authority to the International Bureau and shall take effect nine months from the date of publication in the Gazette.

(3) Annex B may be amended by the Authority at any time. Any amendment adding subject matter to that Annex will be made by notification from the Authority to the International Bureau and shall take effect one month from the date of publication in the Gazette. Any amendment deleting subject matter from that Annex will be made by notification from the Authority to the International Bureau and shall take effect nine months from the date of publication in the Gazette.

(4) Annex C may be amended by the Authority at any time. Any amendment may be made by notification from the Authority to the International Bureau and shall take effect on a date specified by the Authority but not earlier than one month after publication of the notification in the Gazette. Normally Annex C shall not be amended during the first year after entry into force of this Agreement or thereafter at an interval of less than one year from a previous amendment of the schedule.

(5) The International Bureau shall publish promptly in the Gazette any amendment of this Agreement agreed to by the Authority and the International Bureau and approved by the Assembly under paragraph (1) and any notifications received by the International Bureau under paragraphs (2) to (4).

Article 16

Termination of the Agreement

(1) This Agreement shall terminate:

- (a) if the Authority gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or
- (b) if the Director General of the World Intellectual Property Organization, with the approval of the Assembly, gives the Authority written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice.

- (3) Notwithstanding paragraph (2), if:
- (a) notice to terminate this Agreement is given by the Authority under paragraph (1); and
 - (b) at the same time all those Contracting States, whose receiving Offices have specified the Authority under Articles 16(2) and 32(2), not having denounced the Treaty previously, make the denunciation under Article 66,

the notice to terminate this Agreement shall take effect at such time as the denunciation of the Treaty becomes effective for all such States.

ANNEX A

COUNTRIES AND LANGUAGES UNDER ARTICLE 3 OF THIS AGREEMENT

- (1) The Authority will conduct international searches and prepare international search reports
- (i) for the following countries*:
United States of America, Brazil, Barbados
 - (ii) in the following languages:
English.
- (2) The Authority will conduct international preliminary examinations and prepare international preliminary examination reports
- (i) for the following countries:
United States of America and,
where the Authority has prepared the international search report, Brazil and Barbados
 - (ii) in the following languages:
English.

ANNEX B

SUBJECT MATTER SPECIFIED UNDER ARTICLE 6 OF THIS AGREEMENT

Subject matter which is searched or examined in United States national applications.

* In the second session of the Preparatory Intergovernmental Committee on the Revision of the Paris Convention for the Protection of Industrial Property, June 29 to July 8, 1977, the Delegation of the United States of America offered the services of its International Searching Authority (the Authority under this Agreement) to all nationals of countries of the western hemisphere party to the PCT on the same conditions these services would be available to its own nationals. This offer stands.

ANNEX C

SCHEDULE OF FEES AND EXTENT AND CONDITIONS OF REDUCTIONS OR
REFUNDS OF THE SEARCH AND PRELIMINARY EXAMINATION FEES FOR THE PURPOSES
OF ARTICLE 7 OF THE AGREEMENT

(a) Fees

Search fee

- | | |
|--|----------|
| (i) where no corresponding prior United States national application with basic filing fee has been filed | \$520.00 |
| (ii) where a corresponding prior United States national application with basic filing fee has been filed | \$350.00 |

Supplemental search fee (per additional invention)	\$140.00
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Preparation of an international-type search report in a United States national application	\$ 28.00
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Preliminary examination fee

- | | |
|---|----------|
| (i) where an international search fee has been paid on the international application for the benefit of the United States Patent and Trademark Office as an International Searching Authority | \$370.00 |
| (ii) where the International Searching Authority for the international application was an authority other than the United States Patent and Trademark Office . . . | \$570.00 |

Additional preliminary examination fee (per additional invention)

- | | |
|---|----------|
| (i) where a supplemental search fee has been paid on the international application to the United States Patent and Trademark Office as an International Searching Authority | \$125.00 |
| (ii) where the International Searching Authority for the international application was an authority other than the United States Patent and Trademark Office . . . | \$190.00 |

(b) Extent and Conditions of Refunds of the Search and Preliminary Examination Fees

- (i) Money paid for search and preliminary examination fees, where paid by actual mistake or in excess, will be refunded.
- (ii) Refund of the supplemental search fee and additional preliminary examination fee will be made if such refund is determined to be warranted by the Commissioner of Patents and Trademarks or his designee acting under Rule 40.2(c) or Rule 68.3(e).
- (iii) The search fee will be refunded if the determination under Article 11(1) is negative.

FEES PAYABLE UNDER THE PCT

United States of America

(1) Pursuant to PCT Rule 15.2(d), new amounts in US Dollars (USD), as indicated below, have been established. The new amounts are applicable as from July 1, 1987.

Basic fee:	485
Supplement per sheet, over 30:	10
Designation fee:	120

[Updating of PCT Gazette No. 02/1987, Annex C(US), page 329]

(2) Pursuant to PCT Rule 57.2(c) the following equivalent amount in US Dollars (USD) of the handling fee, as indicated below, has been established with effect from July 1, 1987.

Handling fee:	150
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SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

INFORMATION ON CONTRACTING STATES

Austria

The Austrian Patent Office has notified a change of its telephone and telecopier numbers as follows:

Telephone: (0222) 53424 - 0

Telecopier: (0222) 53424 - 520 (groups 2 and 3)

[Updating of PCT Gazette No. 02/1987, Annex B1(AT), page 232]

Federal Republic of Germany

The German Patent Office has notified the International Bureau of modifications concerning the conditions of provisional protection pursuant to international publication of an international application for a European patent as follows:

Provisional protection pursuant to international publication:

European Protection:

International application published in one of the EPO official languages: compensation reasonable in the circumstances, on condition that the national requirements (that a translation of the claims in the application be published or transmitted to a possible user) have been met (see Art. II, Section 1(2), (3) IntPatUeG).

[Updating of PCT Gazette No. 02/1987, Annex B1(DE), page 249]

Democratic People's Republic of Korea

The Invention Committee of the Democratic People's Republic of Korea has notified changes in its teleprinter address and telephone number as follows:

Teleprinter address: 5972 TECH KP, 5909 APAT KP

Telephone: 32661, 51477

[Updating of PCT Gazette No. 02/1987, Annex B1(KP), page 264]

Republic of Korea

The Office of Patents Administration of the Republic of Korea has notified a change of its telephone number as follows:

Telephone: (568) 6077

[Updating of PCT Gazette No. 02/1987, Annex B1(KR), page 266]

United States of America

The United States Patent and Trademark Office has notified the International Bureau of its requirement concerning the languages into which international preliminary examination reports must be translated. The requirement of that Office under PCT Rule 72.1(a) reads as follows:

Languages into which the international preliminary examination report must be translated by the International Bureau:	English if the international preliminary examination report is in another language
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[Updating of PCT Gazette No. 02/1987, Annex B1(US), page 296]

FEES PAYABLE UNDER THE PCT

Brazil

The National Institute of Industrial Property of Brazil has notified new amounts of fees in Cruzados (BRC) as specified below. The new amounts are applicable as from June 19, 1987.

Transmittal fee:	262.70
Fee for priority document:	85.37
National filing fee for patent:	197.02
First annual fee for patent:	328.38
National filing fee for utility model:	131.35
First annual fee for utility model:	164.19

[Updating of PCT Gazette No. 02/1987, Annex C(BR), page 307, and Summary (BR), page 357]

Hungary

The National Office of Inventions of Hungary has notified a new amount of a fee in Forints (HUF) as specified below. The new amount is applicable as from July 1, 1986.

Transmittal fee:	1,000
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[Updating of PCT Gazette No. 02/1987, Annex C(HU), page 315]

Japan

The Japanese Patent Office has notified new amounts of fees in Yen (JPY) as specified below. The new amounts are applicable as from August 1, 1987.

Search fee:	54,000
Additional search fee:	47,000
Preliminary examination fee:	20,000
Additional preliminary examination fee:	13,000
Fee for copies:	1,300 per document

[Updating of PCT Gazette No. 02/1987, Annex D(JP), page 336, and Annex E(JP), page 345]

Republic of Korea

The Office of Patents Administration of the Republic of Korea has notified new amounts of fees in Won (KRW) as specified below. The new amounts are applicable as from January 1, 1986.

Transmittal fee:	30,000
Fee for priority document:	6,000 plus 200 per document plus 50 per page
National fee for patent:	8,000
National fee for utility model:	6,000

[Updating of PCT Gazette No. 02/1987, Annex C(KR), page 319, and Summary (KR), page 369]

United Kingdom

The United Kingdom Patent Office has notified a new amount of a fee in Pounds Sterling (GBP) as specified below. The new amount is applicable as from May 26, 1987.

National fee

Preliminary examination and search fee:	85
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[Updating of PCT Gazette No. 02/1987, Summary (GB), page 364]

United States of America

(1) The United States Patent and Trademark Office (USPTO) has notified new amounts of fees in US Dollars (USD), as specified below. The new amounts are applicable as from July 1, 1987.

Search fee

- where no corresponding prior United States national application with basic national fee has been filed:	520
- where a corresponding prior United States national application with basic national fee has been filed:	350

Basic national fee (amounts in parentheses are applicable in case of filing by a "small entity")

- where an international preliminary examination fee has been paid on the international application to the USPTO:	300 (150)
- where no international preliminary examination fee has been paid to the USPTO, but an international search fee has been paid for an international search by the USPTO:	340 (170)

- where no international preliminary examination fee has been paid to and no international search report has been prepared by the USPTO: 450 (225)
- where the international preliminary examination report prepared by the USPTO states that the criteria of novelty, inventive step (non-obviousness), and industrial applicability, as defined in PCT Article 33(1) to (4) have been satisfied for all the claims presented in the application entering the national phase: 50 (25)

[Updating of PCT Gazette No. 02/1987, Annex D(US), page 339, and Summary (US), page 382]

(2) The United States Patent and Trademark Office has notified amounts of new fees in US Dollars (USD) as specified below. The new fees are applicable as from July 1, 1987.

Preliminary examination fee

- where an international search fee has been paid on the international application for the benefit of the USPTO as an International Searching Authority: 370
- where the International Searching Authority for the international application was an authority other than the USPTO: 570

Additional preliminary examination fee

- where a supplemental search fee has been paid on the international application to the USPTO as an International Searching Authority: 125
- where the International Searching Authority for the international application was an authority other than the USPTO: 190

European Patent Organisation

The European Patent Office has notified a new amount of a fee in Belgian Francs (BEF) as specified below. The new amount is applicable as from August 21, 1986.

Fee for translation into English of the international application:	Per 100 words of the original text: 800
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[Updating of PCT Gazette No. 02/1987, Annex D(EP), page 334]

INTERNATIONAL SEARCHING AUTHORITIES

INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES

Agreement between the Japanese Patent Office and
the International Bureau*Amendment to Annex D

The Japanese Patent Office has notified the International Bureau, pursuant to Article 16(3)(iv) of the Agreement, of amendments to Annex D of the Agreement. The new amounts of fees are applicable as from August 1, 1987. The amended Annex reads as follows:

"ANNEX D

SCHEDULE OF FEES AND CHARGES OF THE AUTHORITY AND EXTENT
AND CONDITIONS OF REFUNDS OF THE SEARCH FEE FOR THE
PURPOSES OF ARTICLE 8 OF THE AGREEMENT

(a) Schedule of fees and charges

Fee	Amount Japanese Yen
Search fee (Rule 16.1(a)):	54,000
Additional fee (Rule 40.2(a)):	47,000
Preparing copies of cited documents (Rule 44.3(b)):	1,300 per document
Preliminary examination fee (Rule 58.1(b)):	20,000
Additional fee (Rule 68.3(a)):	13,000
Preparing copies of cited documents (Rule 71.2(b)):	1,300 per document
Preparing copies of requested documents (Rule 94.1):	1,300 per document

(b) Conditions and extent of refunds of the search fee where the search report can
be wholly or partially based on the results of an earlier search (Rules 16.3
and 41.1)

The conditions and extent of refunds of the search fee in cases where the search report can be wholly or partially based on the results of an earlier search are the following:

The Authority shall refund 23,000 Japanese Yen, on the request of the applicant, where the Authority has been able to make use of a considerable part of the results of the earlier search."

* Published in PCT Gazette No. 04/1978, pages 213 to 221, No. 06/1984, page 663, No. 15/1984, page 1805, No. 23/1984, page 2819, and No. 21/1985, page 3005.

United States of America

The United States of America has, pursuant to PCT Rule 59.1, informed the International Bureau that, with effect on July 1, 1987, the following International Preliminary Examining Authorities will be competent for the international preliminary examination of international applications filed with its national Office:

United States Patent and Trademark Office (USPTO), or European Patent Office (EPO) for 500 international applications per year* for which the EPO has established the international search report.

REFERENCES TO DEPOSITS OF MICROORGANISMS

Australia

Pursuant to PCT Rule 13bis.7, the Australian Patent Office has notified the International Bureau about amendments to the national law concerning microbiological inventions which take effect on July 7, 1987. The table concerning References to Deposits of Microorganisms, contained in Annex M1, published in PCT Gazette No. 02/1987 on pages 348 to 350, is, pursuant to the information received from the Australian Patent Office, amended as follows:

1st column (<u>Designated Office</u>):	Australia, Australian Patent Office
2nd column (<u>Additional Indications</u>):	To the extent available to the applicant, relevant information on the characteristics of the microorganism
3rd column (<u>Time earlier than 16 months from the Priority Date</u>):	In the case of (A): within 3 months after the filing date. In the case of (B): at the time of filing (as part of the application)
4th column (<u>Depositary Institutions</u>):	See footnote (1), below

[Updating of PCT Gazette No.02/1987, Annex M1, page 348]

* Since the EPO will only accept 500 demands per year (for the three-year period beginning July 1, 1987) from U.S. applicants, the USPTO will publish in its Official Gazette notices which indicate the number of demands filed in the EPO by U.S. applicants as of a particular date. The number of demands filed, based upon the latest known information, will also be supplied by telephone or teleprinter to interested persons by both the EPO and the USPTO.

The USPTO will accept any demands filed in the EPO by U.S. applicants beyond the 500 limit. Upon receipt by the EPO of the 501st and subsequent demands from U.S. applicants, the EPO will promptly notify the applicant that it is not competent under PCT Rule 59.1 to receive the demand. The EPO will also immediately inform the USPTO. The EPO will refund any fees paid by the applicant to the EPO and forward the demand to the USPTO, with an indication of the date of receipt of the demand, for further processing. The EPO will be considered to be the agent of the USPTO for the purposes of receiving and dating demands. The USPTO will correspond with the applicant concerning the demand and require the payment of fees to the USPTO under PCT Rules 57.4 and 58.2.

INSTITUTIONS WITH WHICH DEPOSITS MAY BE MADE

Hungary

Pursuant to PCT Rule 13bis.7(b), the National Office of Inventions of Hungary has notified the International Bureau of a change in the name of the depositary institution listed as "National Collection of Agricultural and Industrial Microorganisms (NCAIM), Department of Microbiology, University of Horticulture" in Annex M2, published in PCT Gazette No. 02/1987, as follows:

"National Collection of Agricultural and Industrial Microorganisms (NCAIM)*
Department of Microbiology
University of Horticulture and Food Industry
Somlói út 14-16, H-1118 Budapest
Hungary"

[Updating of PCT Gazette No. 02/1987, Annex M2, page 352]

DESIGNATED (OR ELECTED) OFFICES

Democratic People's Republic of Korea

The Invention Committee of the Democratic People's Republic of Korea has informed the International Bureau of a change concerning the contents of the translation of an international application as follows:

Translation must contain:	Description, claims (if amended, as amended, as well as any statement made under PCT Article 19), any text matter of drawings, abstract
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[Updating of PCT Gazette No. 02/1987, Summary (KP), page 368]

ADMINISTRATIVE INSTRUCTIONS UNDER THE PCT

ANNEX F - FORMS

Modification of Forms PCT/RO/101 (Request) and PCT/IPEA/401 (Demand)

The Request Form has been modified. The modification consists of a new presentation of Box No.V, Designation of States, on the "second sheet" and of a complete revision of the Notes to the Request. All the sheets of the Request, including those sheets which have not been modified, are now dated "July 1987".

The Demand Form has been completely modified and a Fee Calculation Sheet is added to it; all the sheets are dated "July 1987".

The modifications of the Request and of the Demand take effect on July 1, 1987.

The modified "second sheet" of the Request, the modified Notes to the Request, the modified Demand and the Notes relating to it, as well as the Fee Calculation Sheet annexed to the Demand, are reproduced on the next pages.

Notwithstanding the entry into force of the modified Forms, applicants may use the previous version of the Forms until the stock is depleted. It is recommended, however, to use only the modified Forms. Copies can be obtained free of charge from the receiving Offices.

Box No. IV AGENT (IF ANY) OR COMMON REPRESENTATIVE (IF ANY); ADDRESS FOR NOTIFICATIONS (IN CERTAIN CASES). A common representative may be appointed only if there are several applicants and if no agent is or has been appointed; the common representative must be one of the applicants.
The following person (includes, where applicable, a legal entity) is hereby/has been appointed as agent or common representative to act on behalf of the applicant(s) before the competent International Authorities:

Name and address, including postal code and country:

If the space below is used instead for an address for notifications, mark here

Telephone number:
(including area code)

Telegraphic
address:

Teleprinter
address:

Box No. V DESIGNATION OF GROUPS OF STATES OR STATES (1); CHOICE OF CERTAIN KINDS OF PROTECTION OR TREATMENT. The following designations are hereby made (please mark the applicable check-boxes):

Regional Patent

EP European Patent(2): AT Austria, BE Belgium, CH and LI Switzerland and Liechtenstein, DE Germany (Federal Republic of), FR France, GB United Kingdom, IT Italy, LU Luxembourg, NL Netherlands, SE Sweden,
and any other Contracting State of the European Patent Convention which has become party to the PCT after the issuance of this sheet (specify on dotted line):

OA OAPI Patent: Benin, Cameroon, Central African Republic, Chad, Congo, Gabon, Mali, Mauritania, Senegal, Togo, and any other member State of OAPI which has become party to the PCT after the issuance of this sheet; if other OAPI title desired, specify on dotted line(3):

National Patent (if other kind of protection or treatment desired, specify on dotted line(3))

- | | |
|--|---|
| <input type="checkbox"/> AT Austria(3) | <input type="checkbox"/> KR Republic of Korea(3) |
| <input type="checkbox"/> AU Australia(3) | <input type="checkbox"/> LK Sri Lanka |
| <input type="checkbox"/> BB Barbados | <input type="checkbox"/> LU Luxembourg(3) |
| <input type="checkbox"/> BG Bulgaria(3) | <input type="checkbox"/> MC Monaco(3) |
| <input type="checkbox"/> BR Brazil(3) | <input type="checkbox"/> MG Madagascar |
| <input type="checkbox"/> CH and LI Switzerland and Liechtenstein | <input type="checkbox"/> MW Malawi(3) |
| <input type="checkbox"/> DE Germany (Federal Republic of)(3) | <input type="checkbox"/> NL Netherlands |
| <input type="checkbox"/> DK Denmark | <input type="checkbox"/> NO Norway |
| <input type="checkbox"/> FI Finland | <input type="checkbox"/> RO Romania |
| <input type="checkbox"/> GB United Kingdom | <input type="checkbox"/> SD Sudan |
| <input type="checkbox"/> HU Hungary | <input type="checkbox"/> SE Sweden |
| <input type="checkbox"/> JP Japan(3) | <input type="checkbox"/> SU Soviet Union(3) |
| <input type="checkbox"/> KP Democratic People's Republic of Korea(3) | <input type="checkbox"/> US United States of America(3) |

Space reserved for designating States (for the purposes of a national patent) which have become party to the PCT after the issuance of this sheet:

(1) The applicant's choice of the order of designations may be indicated by marking the check-boxes with sequential arabic numerals (see also the "Notes to Box No. V").
(2) The selection of particular States for a European patent can be made upon entering the national (regional) phase before the European Patent Office (see also the "Notes to Box No. V").
(3) If another kind of protection or a title of addition or, in the United States of America, treatment as a continuation or a continuation-in-part is desired, specify according to the instructions given in the "Notes to Box No. V."

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

These Notes are intended to facilitate the filling in of the form. For authentic information, see the text of the Patent Cooperation Treaty and the texts of the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and the said texts, the latter are applicable. For more detailed information, see also the **PCT Applicant's Guide**, a publication of WIPO.

"Rule" refers to Rules of the Regulations and "Section" refers to Sections of the Administrative Instructions.

Please use a typewriter. The applicable check-boxes may be marked with black ink.

NOTES TO 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.

NOTES TO BOXES No. II and III

Indication whether a Person is Applicant and/or Inventor (Rules 4.5(a) and 4.6(a) and (b)): Please mark the applicable check-box in order to indicate whether the person (including a legal entity) named is "applicant only" (which means that the person is not also inventor), "inventor only" (which means that the person is not also applicant) or "applicant and inventor" (which means that the person is both). A person is to be named only once, even where the person is both applicant and inventor.

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, and the country).

Only one address may be indicated per person. Where no agent is appointed, a special "address for notifications" may be indicated in Box No. IV (see below).

Nationality (Rules 4.5(a) and (b) and 4.6(a)): For each applicant, the nationality must be indicated by the name of the State of which the person is a national. This indication is not required where a person is inventor only.

Residence (Rules 4.5(a) and (c) and 4.6(a)): For each applicant, the residence must be indicated by the name of the State of which the person is a resident. However, if the residence is not indicated, it will be assumed that the State of residence is the same as the State indicated in the address. The indication of the residence is not required where a person is inventor only.

Names of States (Section 201(a)): For the indication of names of States the two-letter country codes may be used.

Different Applicants for Different Designated States (Rule 18.4(a)): It is possible to indicate different applicants for the purposes of different designated States. In such a case, in respect of each designated State, at least one of the applicants indicated for the purposes of that State must be a national or resident of a PCT Contracting State. **Where the United States of America is one of the designated States, the inventor(s) must be the applicant(s) for the United States of America and the check-box "applicant and inventor" must be marked.**

For the indication of the designated States for which a person is applicant please mark the applicable check-box (only one). The check-box "the States indicated in the 'Supplemental Box'" must be marked where none of the other three check-boxes fits; in such a case, the name of the person must be repeated in the Supplemental Box with an indication of the States for which he is applicant (see item (ii) in that Box).

Naming of Inventor (Rule 4.1(a)(v) and (c)(i)): The inventor's name and address must be indicated where the national law of at least one of the designated States requires that the name of the inventor be furnished at the time of filing; for details see the PCT Applicant's Guide, Volume I, Annex B. It is strongly recommended to name always the inventor.

Different Inventors for Different Designated States (Rule 4.6(c)): Different persons may be indicated as inventors for different designated States 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 (iii) in that Box).

NOTES TO BOX No. IV

Agent or Common Representative (Rules 4.7, 4.8 and Section 108): For the manner in which name(s) and address(es) including names of States must be indicated, see the Notes to Boxes No. II and III. Where several agents are listed, the agent to whom any correspondence must be addressed is to be listed first. If there is more than one applicant but no common agent representing them, the Request must designate one of the applicants who is a national or resident of a Contracting State, as their common representative. If this is not done, the common representative will be the applicant first named in the Request who is entitled to file an international application with the receiving Office.

Appointment of Agent or Common Representative (Rule 90.3 and Section 106): Any such appointment may be made by designating the agent(s) or the common representative in the Request or in a separate power of attorney. Each applicant must sign either the Request or the separate power of attorney. Where the international application is filed with reference to a general power of attorney, a copy thereof must be attached to the Request and any applicant who did not sign the general power of attorney must sign either the Request or a separate power of attorney.

Address for Notifications (Rule 4.4(d)): If no agent has been appointed, a special address for the sending of notifications to the applicant may be indicated in Box No. IV instead of the name and address of an agent. That address must be different from the address given in Box No. II and the special check-box must be marked. If an agent has been appointed, notifications will be sent to his address.

NOTES TO BOX No. V

Designation of States: The Contracting States in which protection is desired must be designated in the Request by marking the applicable check-boxes. **Note that after filing further designations cannot be made.**

The marking of the check-boxes of the designated States by means of sequential arabic numerals will be taken as indicating the applicant's **choice of the order of the designations**; if another form of marking is used, the order will be taken as that in which the marked boxes appear on the form. This order will only have any significance if the amount received for the designation fees is insufficient to cover all the designations; in that case, the amount received will be applied in payment of the fees for the designations following the said order (Rule 16bis.2(c) and Section 321).

For the designation of a State which has become party to the PCT after the date appearing on the bottom of the second sheet of the Request form, the name of the State, preferably preceded by the two-letter country code, must be given together with an indication, where applicable, whether national or regional protection or a special kind of protection or treatment is desired.

Where a **European patent** is desired, only one designation fee must be paid for that purpose, independently of the number of States designated for a European patent.

Where one or more States are designated twice (once for the purposes of a European patent and once for the purposes of national protection), the applicant must pay one designation fee in respect of the European patent and as many designation fees as there are national patents or other titles of protection sought (Rule 15.1(ii) and Section 210).

Note that **Belgium, France and Italy** can only be designated for the purposes of a European patent and not for the purposes of national protection.

If a European patent is desired for only some of the Contracting States of the European Patent Convention, the names of those States for which no European patent is desired may be deleted by striking them out. However, it is recommended to designate always all the Contracting States of the European Patent Organisation and to make a selection only upon entering the national (regional) phase before the European Patent Office and upon payment of the European designation fees.

Choice of Certain Kinds of Protection or Treatment (Rules 4.12 to 4.14, Section 202): Where, in any country where that is possible, instead of a patent, a national title other than a patent is desired, write after the name of that country on the dotted line the name of the title, that is, "petty patent" (available in Australia), "utility model" (available in Brazil, Germany (Federal Republic of), Japan, the Republic of Korea, OAPI) or "inventor's certificate" (available in Bulgaria, the Democratic People's Republic of Korea, the Soviet Union). Where, in the Federal Republic of Germany (the only country in which this possibility exists), in addition to a patent, a utility model is also desired, write after the name of that country "and utility model".

Where, in respect of any country where that is possible, it is desired that the application be treated as an application for a certain title "of addition" or as an application for a "continuation" or a "continuation-in-part", write after the name of that country the appropriate words, that is, "patent of addition" (available in Australia, Austria, Bulgaria, Germany (Federal Republic of), Malawi, the Soviet Union), "certificate of addition" (available in Luxembourg, Monaco, OAPI), "inventor's certificate of addition" (available in Bulgaria, the Soviet Union), "continuation" or "continuation-in-part" (both available in the United States of America). If any of these indications is used, indicate in the "Supplemental Box" the State for which such treatment is desired, the number of the parent title or parent application, and the date of grant of the parent title or the date of filing of the parent application, as the case may be (see item (v) in that Box).

NOTES TO BOX No. VI

Priority Claim (Rule 4.10): The declaration containing the priority claim must be made in the Request.

The Request must indicate both

(i) when the earlier application is not a regional or an international application, the **country** in which it was filed, or, when the earlier application is a regional or an international application, at least one country for which it was filed, and

(ii) the **date** on which it was filed; otherwise, the priority claim will, for the purposes of the procedure under the Treaty, be considered not to have been made.

If the application **number** of the earlier application is not indicated in the Request but is furnished by the applicant to the International Bureau or to the receiving Office prior to the expiration of the 16th month from the priority date, it is considered by all designated States to have been furnished in time.

Certified Copy of Earlier Application (Priority Document) (Rule 17.1): Such copy must be submitted to the International Bureau or to the receiving Office prior to the expiration of the 16th month from the priority date or, where an early start of the national phase is requested, not later than at the time such request is made.

Where the priority document is issued by the receiving Office, the applicant may, instead of submitting the priority document, request the receiving Office to transmit the priority document to the International Bureau. Such request may be made by marking the special check-box and by identifying the document. **Attention:** where such a request is made, the applicant must pay to the receiving Office the applicable **fee for priority document**.

Dates (Section 110): They must be indicated by the arabic number of the day, the name of the month and the arabic number of the year; after or below such indication, the date should be repeated in parenthesis by indicating it by two-digit arabic numerals each for the number of the day, for the number of the month and for the last two numbers of the year, e.g., 10 June 1986 (10.06.86).

NOTES TO BOX No. VII

Earlier Search (Rule 4.11): The filling in of Box No. VII may result in a total or partial refund of the international search fee.

NOTES TO BOX No. VIII

Signature (Rules 4.1(d), 4.15 and 90.3(a)): The signature must be that of the applicant (if there are several applicants all must sign); however, the signature may be that of the agent where a separate power of attorney appointing the agent, or a copy of a general power of attorney already in the possession of the receiving Office, is attached to the Request. The name of each person signing the Request should be typed below the signature; similarly, an indication of the capacity in which the person signs should be indicated if such capacity is not obvious from reading the Request.

NOTES TO BOX No. IX

Reference to a Deposited Microorganism (Rule 13bis and Section 209): Form PCT/RO/134 or any separate sheet containing indications concerning a deposited microorganism may, in most cases, be listed as "**other document**." This is not the case if Japan is designated: in that case, Form PCT/RO/134 or any other sheet containing the said indications must be included as one of the sheets of the description.

NOTES TO "SUPPLEMENTAL BOX"

The manner of making indications in this Box is indicated on the top of the "supplemental sheet."

Statement concerning Non-Prejudicial Disclosures or Exceptions to Lack of Novelty: Such a statement, unless contained in the description, may be given in this Box. It should comply with the national law applicable by the designated Office to which the statement is addressed.

GENERAL REMARKS

Language of Correspondence (Rule 92.2 and Section 104): Any letter from the applicant to the Receiving Office, the International Searching Authority or the International Preliminary Examining Authority must be in the same language as the international application to which it relates; however, the receiving Office, the International Searching Authority or the International Preliminary Examining Authority 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.

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, the claim(s), the abstract, the drawings (if any). All sheets constituting the international application must be numbered in consecutive arabic numerals with three separate series of numbers: the first applying to the Request, the second applying to the part consisting of the description, the claim(s) and the abstract, and the third applying to the drawings. The numbers must be placed at the top of the sheet, in the middle, below the 2cm 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.

PATENT COOPERATION TREATY

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**

Box No. I IDENTIFICATION OF THE INTERNATIONAL APPLICATION		Applicant's or Agent's File Reference (indicated by applicant if desired):
International Application No.	International Filing Date	(Earliest) Priority Date
Title of Invention		
Box No. II APPLICANT(S). Further applicants are indicated on a continuation sheet . <input type="checkbox"/>		
Name <i>and</i> address, including postal code and country:		
State of nationality:	State of residence :*	
Telephone number (including area code):	Telegraphic address:	Teleprinter address:
Name <i>and</i> address, including postal code and country:		
State of nationality:	State of residence :*	
Box No. III AGENT OR COMMON REPRESENTATIVE (IF ANY); ADDRESS FOR NOTIFICATIONS (IN CERTAIN CASES)		
The following named agent or common representative		
1. <input type="checkbox"/>	has been appointed earlier and represents the applicant also for international preliminary examination	
2. <input type="checkbox"/>	is hereby appointed and any earlier appointment of an agent is hereby revoked	
3. <input type="checkbox"/>	is hereby appointed, in addition to the agent(s) appointed earlier, for the procedure before the International Preliminary Examining Authority	
Name <i>and</i> address, including postal code and country:		If the space below is used instead for an address for notifications, check here <input type="checkbox"/>
Telephone number (including area code):	Telegraphic address:	Teleprinter address:
* If the State of residence is not indicated, it will be assumed that it is the same as the State indicated in the address.		

Box No. II APPLICANT(S) (CONTINUATION)Name *and* address, including postal code and country:

State of nationality:

State of residence :*

Name *and* address, including postal code and country:

State of nationality:

State of residence :*

Name *and* address, including postal code and country:

State of nationality:

State of residence :*

Name *and* address, including postal code and country:

State of nationality:

State of residence :*

Name *and* address, including postal code and country:

State of nationality:

State of residence :*

Name *and* address, including postal code and country:

State of nationality:

State of residence :*

* If the State of residence is not indicated, it will be assumed that it is the same as the State indicated in the address.

Box No. IV DECLARATION CONCERNING AMENDMENTS OF THE CLAIMS

Applicant wishes international preliminary examination to start promptly on the basis of the claims

- as filed (amendments under Article 19 have not been made and will not be made)
- as amended under Article 19
- as specified on the attached sheet

BOX No. V ELECTION OF STATES

The following designated States are hereby elected (please check the applicable boxes):

Regional Patent

- EP European Patent:** AT Austria, BE Belgium, DE Germany (Federal Republic of), FR France, GB United Kingdom, IT Italy, LU Luxembourg, NL Netherlands, SE Sweden, and any other Contracting State of the European Patent Convention which has become party to the PCT (including Chapter II thereof) or bound by Chapter II of the PCT after the issuance of this sheet (specify on dotted line):
.....

- OA OAPI Patent:** Benin, Cameroon, Central African Republic, Chad, Congo, Gabon, Mali, Mauritania, Senegal, Togo, and any other member State of OAPI which has become party to the PCT (including Chapter II thereof) after the issuance of this sheet.

National Patent

- | | |
|---|--|
| <input type="checkbox"/> AT Austria | <input type="checkbox"/> LK Sri Lanka |
| <input type="checkbox"/> AU Australia | <input type="checkbox"/> LU Luxembourg |
| <input type="checkbox"/> BB Barbados | <input type="checkbox"/> MC Monaco |
| <input type="checkbox"/> BG Bulgaria | <input type="checkbox"/> MG Madagascar |
| <input type="checkbox"/> BR Brazil | <input type="checkbox"/> MW Malawi |
| <input type="checkbox"/> DE Germany (Federal Republic of) | <input type="checkbox"/> NL Netherlands |
| <input type="checkbox"/> FI Finland | <input type="checkbox"/> RO Romania |
| <input type="checkbox"/> GB United Kingdom | <input type="checkbox"/> SD Sudan |
| <input type="checkbox"/> HU Hungary | <input type="checkbox"/> SE Sweden |
| <input type="checkbox"/> JP Japan | <input type="checkbox"/> SU Soviet Union |
| <input type="checkbox"/> KP Democratic People's Republic of Korea | <input type="checkbox"/> US United States of America |

Space reserved for electing States which have become party to the PCT (including Chapter II thereof) or bound by Chapter II of the PCT after the issuance of this sheet:

.....

Box No. VI SIGNATURE

(The following is to be filled in by the International Preliminary Examining Authority)

1. Date of actual receipt of DEMAND:
2. Adjusted date of receipt of DEMAND due to CORRECTIONS under Rule 60.1(b):

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

These Notes are intended to give some information concerning international preliminary examination under Chapter II of the PCT and to facilitate the filling in of the present form. For authentic information, see the text of the Patent Cooperation Treaty and the texts of the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and the said texts, the latter are applicable. For more detailed information, see also the **PCT Applicant's Guide**, a publication of WIPO.

"Article" refers to Articles of the Treaty, "Rule" refers to Rules of the Regulations and "Section" refers to Sections of the Administrative Instructions.

IMPORTANT GENERAL INFORMATION

Who May File a Demand (Article 31(2)(a))? 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 the receiving Office of, or acting for, such State. Where there are several applicants, at least one of them must qualify for the purposes of each elected State (Rule 54.3(a)).

Where Must the Demand Be Filed (Article 31(6)(a))? The demand must be filed with the 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 Annex C of the PCT Applicant's Guide, Volume I). 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.

When Must the Demand be Filed (Article 39(1))? The demand must be filed **before** the expiration of **19 months from the priority date** in order to extend the time limit for entering the national phase of the PCT procedure from 20 to 30 months from the priority date. **Warning:** if the demand is filed later, the national phase will not be delayed in respect of the elected States and the applicant must enter the national phase before the expiration of the time limit applicable under Article 22 (which is usually 20 months from the priority date).

In Which Language Must the Demand be Filed (Rule 55.1)? The demand must be filed in the language of the international application if that language is English, French, German, Japanese or Russian; otherwise, the demand must be filed in English.

What is the Language of Correspondence (Rules 66.9 and 92.2, 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, the IPEA may authorize the use of another language for letters which do not contain or relate to amendments of the international application, whereas amendments and letters relating thereto must be in the language of publication. 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.

Which Fees Must be Paid and When (Rules 57 and 58)? At the time the demand is submitted, the applicant must pay

- (i) the preliminary examination fee, and
- (ii) the handling fee.

For details concerning the payment of those fees, see the Fee Calculation Sheet.

NOTES TO BOX No. I

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 Priority Date (Section 110):

They must be indicated by the arabic number of the day, the name of the month and the arabic number of the year; after or below such indication, the date should be repeated in parenthesis by indicating it by two-digit arabic numerals each for the number of the day, for the number of the month and for the last two numbers of the year, e.g., 10 June 1986 (10.06.86). 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.

NOTES TO BOX No. II

Applicant(s) (Rule 53.4): Make here the relevant indications as appearing in Boxes Nos. II and III of the REQUEST (Form PCT/RO/101). The Notes to the REQUEST apply *mutatis mutandis*.

If different applicants for different designated States are indicated in the REQUEST part of the international application, indicate only the names of the applicants for the States elected in Box No. V (no indication of the States for which a person is applicant must be made, because those indications have been made in the REQUEST). If there are more than two applicants, make the required indications on the "continuation sheet."

NOTES TO BOX No. III

Agent or Common Representative (Rule 53.5): The **first check-box** must be marked where the applicant is already represented by an agent or where a common representative has been appointed. The **second check-box** must be marked where the applicant was not represented in the earlier stages of the PCT procedure and now wants to be represented by an agent before the IPEA, or where the applicant was represented in the earlier stages of the PCT procedure but wants to change the agent for the procedure before the IPEA. The **third check-box** must be marked where the applicant wants to be represented by an additional agent appointed only for the procedure before the IPEA without revocation of any earlier appointment; please note that in the latter case all notifications issued by the IPEA will be addressed only to that additional agent. Where the second or the third check-box is marked and the applicant does not sign himself the demand, a separate power of attorney must be filed with the International Bureau of WIPO or with the receiving Office (Rule 90.3(b)).

Address for Notifications (Rule 4.4(d)): If no agent has been appointed, a special address for the sending of notifications to the applicant may be indicated in Box No. III instead of the name and address of an agent. That address must be different from the address given in Box No. II and the special check-box must be marked. If an agent has been appointed, notifications will be sent to his address.

NOTES TO BOX No. IV

Declaration Concerning Amendments of the Claims (Rules 62.2, 66.1 and 69.1(b)): Marking of the appropriate check-box is recommended, as it will help the IPEA to know immediately to which claims the international preliminary examination must be directed. International preliminary examination can only start once this is clear.

It is recalled that any amendment to the claims under Article 19 or any declaration that the applicant does not intend to file such amendments, are required to be filed with the International Bureau. That Bureau will promptly transmit any amendment or declaration to the IPEA. The international preliminary examination can start when the IPEA has received from the International Bureau such amendments or such declaration or a notice that no amendments have been filed in the prescribed time limit.

In case the demand for international preliminary examination has already been submitted, the applicant must, if he subsequently files amendments under Article 19 with the International Bureau, file at the same time a copy of such amendments with the IPEA.

The third of the three check-boxes relates to amendments under Rule 66.1. Those amendments must be filed with the IPEA.

NOTES TO BOX No. V

Election of States (Rule 53.7): Only States which are bound by Chapter II of the PCT and which have been designated at the time of filing the international application (in the REQUEST) can be elected. The election is effected by marking the applicable check-box. The kind of protection or treatment desired follows the indication made in the REQUEST part of the international application. If a **European patent** is desired and only some of the Contracting States of the European Patent Convention have been designated for a European patent in the REQUEST part of the international application, the names of the other such States must be struck out. Switzerland and Liechtenstein are not bound by Chapter II and cannot be elected; however, if they have been designated in the REQUEST part of the international application for a European patent together with at least one other Contracting State of the European Patent Convention, the time limit under PCT Article 39(1) applies also with respect to those

two States if the other State has been elected before the expiration of 19 months from the priority date. Further States which are, at the time of publication of these Notes, not bound by Chapter II and cannot be elected are: Denmark, Norway and the Republic of Korea. **Warning:** if **Japan** is elected and the international application was filed in a language other than Japanese, a translation into Japanese of the international application must be furnished to the Japanese Patent Office within 20 months from the priority date.

NOTES TO BOX No. VI

Signature (Rule 53.8): The demand must be signed by the applicant or by his agent. If the demand is not signed by (all) the applicant(s), a power of attorney signed by (all) the applicant(s) must be filed with the International Bureau of WIPO or with the receiving Office, unless the agent has previously been appointed.

FEE CALCULATION SHEET
ANNEX TO THE DEMAND FOR INTERNATIONAL PRELIMINARY EXAMINATION

APPLICANT	For use by IPEA
INTERNATIONAL APPLICATION No.	DATE STAMP OF THE IPEA

I. PRELIMINARY EXAMINATION FEE	<table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 80%;"></td> <td style="width: 20%; text-align: center;">P</td> </tr> </table>		P	
	P			
II. HANDLING FEE Indicate the amount fixed in the Schedule of Fees.....	<table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 80%;"></td> <td style="width: 20%; text-align: center;">h₁</td> </tr> </table>		h ₁	
	h ₁			
Repeat the amount indicated in Box h ₁ if the Soviet Union has been elected.....	<table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 80%;"></td> <td style="width: 20%; text-align: center;">h₂</td> </tr> </table>		h ₂	
	h ₂			
Add the amount (if any) entered in Box h ₂ to the amount entered in Box h ₁ and enter the total in Box H. This figure is the amount of the HANDLING FEE.....	<table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 80%;"></td> <td style="width: 20%; text-align: center;">H</td> </tr> </table>		H	
	H			
III. TOTAL OF PRESCRIBED FEES SUBMITTED OR TO BE CHARGED TO DEPOSIT ACCOUNT Add the amounts entered in Boxes P and H, and enter the total in the TOTAL Box. THIS FIGURE IS THE TOTAL AMOUNT OF THE PRESCRIBED FEES SUBMITTED OR TO BE CHARGED TO THE DEPOSIT ACCOUNT	<table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 80%;"></td> <td style="width: 20%; text-align: center;">TOTAL</td> </tr> </table>		TOTAL	
	TOTAL			
<p>THE APPLICANT MAY PAY THE PRESCRIBED FEES BY CHEQUE, POSTAL MONEY ORDER, BANK DRAFT, CASH, REVENUE STAMPS, COUPONS, ETC. PAYMENT SHOULD BE MADE IN THE PRESCRIBED CURRENCY TO THE [ACCOUNT OF, ACCOUNT INDICATED BELOW OF, ORDER OF] THE INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY. PAYMENT MAY ALSO BE MADE BY AUTHORIZATION TO CHARGE A DEPOSIT ACCOUNT AT THE INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY IF THE LATTER HAS A DEPOSIT ACCOUNT SYSTEM.</p>				

DEPOSIT ACCOUNT AUTHORIZATION

- The IPEA/ _____ is hereby authorized to charge the total fees indicated above to my deposit account.
- The IPEA/ _____ is hereby authorized to charge any deficiency or credit any overpayment in the total fees indicated above to my deposit account.

Deposit Account Number Date Signature

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

1 The purpose of the fee calculation sheet is to aid 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 to verify the calculations and to identify any error in them.

2 Two kinds of fees must be paid for international preliminary examination:

- (i) the preliminary examination fee (for the benefit of the International Preliminary Examining Authority);
- (ii) the handling fee (for the benefit of the International Bureau).

3 Both fees must be paid to the International Preliminary Examining Authority upon filing the demand.

4 Information about the amount of those fees or about equivalent amounts in other currencies can be obtained from the International Preliminary Examining Authority or the receiving Office. This information is also published in Annex E of Volume I of the PCT Applicant's Guide and from time to time in Section IV of the PCT Gazette.

5 For the calculation of the total amount payable, the amount of the preliminary examination fee must be inserted in **Box P**. The amount of the handling fee must be inserted in **Box h₁**.

6 The amount of the handling fee is to be increased by as many times the same amount as there are languages into which the international preliminary examination report has to be translated by the International Bureau. Whether the report has to be translated depends on the requirements of the States elected in the demand and on the language of the international preliminary examination report. The only State the Office of which at present requires a translation of an international preliminary examination report established in the **English** language is the Soviet Union. Thus, if the Soviet Union is elected (and only in that case), one amount of the handling fee (for translation into Russian by the International Bureau) is to be entered in **Box h₂**. The total of Boxes h₁ and h₂ must be inserted in **Box H**.

7 The **total** of the amounts inserted in Boxes P and H is the amount which must be paid to the International Preliminary Examining Authority.

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

INFORMATION ON CONTRACTING STATES

Japan

The Japanese Patent Office has notified the International Bureau that, after a change of its national law, patents of addition are no longer available in Japan. The types of protection available are now as follows:

Types of protection available: Patents, utility models

[Updating of PCT Gazette No. 02/1987, Annex B1(JP), page 262]

DESIGNATED (OR ELECTED) OFFICES

Republic of Korea

The Office of Patents Administration has notified the International Bureau of a change in the time limit for the appointment of an agent as follows:

Special requirement of the Office (PCT Rule 51bis):

Appointment of an agent if applicant is not resident in the Republic of Korea. Must be complied with within two months from the expiration of the time limit applicable under PCT Article 22 or within two months from the date on which the request for examination was filed, whichever is earlier.

[Updating of PCT Gazette No. 02/1987, Summary (KR), page 369]

European Patent Office

The European Patent Office has notified the International Bureau of a clarification of its requirement as to who can act as an agent before it as designated (or elected) Office, as follows:

Who can act as an agent?

(1) [No change]

(2) Any legal practitioner to the extent he is entitled to practice in patent matters in one of the States party to the European Patent Convention and who has his place of business in that State

[Updating of PCT Gazette No. 02/1987, Summary (EP), page 362]

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

FEES PAYABLE UNDER THE PCT

Australia, Sweden, United States of America

Pursuant to PCT Rules 16.1(c) and (d), new equivalent amounts of search fees in Swiss Francs (CHF), as specified below, have been established for international search by the Australian Patent Office, the Royal Patent and Registration Office of Sweden and the United States Patent and Trademark Office. The new amounts are applicable as from August 1, 1987.

Search fee

for international search by

- the Australian Patent Office:	460
- the Royal Patent and Registration Office of Sweden:	525
- the United States Patent and Trademark Office:	775 (520)

The amount in brackets is payable when a corresponding prior US application has been filed and the basic national fee paid.

[Updating of PCT Gazette No. 02/1987, Annex D(AU), page 333, Annex D(SE), page 337, and Annex D(US), page 339]

Japan

The Japanese Patent Office has notified new amounts of fees in Yen (JPY) as specified below. The new amounts are applicable as from August 1, 1987.

Transmittal fee:	16,000
Fee for priority document:	1,100
National filing fee for patent:	14,000
National filing fee for utility model:	11,000

[Updating of PCT Gazette No. 02/1987, Annex C(JP), page 317, and Summary (JP), page 367].

Republic of Korea

Pursuant to PCT Rules 15.2(d) and 16.1(d), new amounts of fees in Won (KRW), as specified below, have been established. The new amounts are applicable as from August 1, 1987.

Basic fee:	455,000
Supplement per sheet over 30:	9,000
Designation fee:	110,000
Search fee	
for international search by	
- the Austrian Patent Office:	153,000
- the Japanese Patent Office:	366,000

[Updating of PCT Gazette No. 02/1987, Annex C(KR), page 319, Annex D(AT), page 332, and Annex D(JP), page 336].

United Kingdom

The United Kingdom Patent Office has notified a new amount of a fee in Pounds Sterling (GBP) as specified below. The new amount is applicable as from May 26, 1987.

Fee for priority document:	10
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[Updating of PCT Gazette No. 02/1987, Annex C(GB), page 314]

INFORMATION ON CONTRACTING STATES

Japan

The Japanese Patent Office has notified a change of its teleprinter address as follows:

Teleprinter address: 33788 JAPOAI J

[Updating of PCT Gazette No. 02/1987, Annex B1(JP), page 262]

United Kingdom

The United Kingdom Patent Office has notified the International Bureau of modifications concerning the conditions of provisional protection pursuant to international publication of an international application as follows:

Provisional protection
pursuant to international
publication:

National protection:

See Section 89(1), (4) and (5) and (7) of the Patents Act 1977. Once the acts provided for in PCT Article 22(1) have been performed, the publication of the international application in English by WIPO, or of the translation into English by the UK Patent Office, has the same effect as publication under Section 16 of the Patents Act 1977 (i.e., the applicant has generally the same right as he would have had, if the patent had been granted on the date of publication of the application or of the translation, to bring proceedings in the court or before the Comptroller for damages in respect of any act which would have infringed a patent). However court proceedings may only be brought after grant of the patent. Section 89(7), in addition gives effect to the option specified in PCT Article 29(2)(iii).

European protection:

(a) International application published in English: The right referred to above applies once the application has been published by WIPO.

(b) International application published in French or German: As in paragraph (a) except that from September 1, 1987, the right referred to above does not become effective until a translation into English of the claims has been filed at, and published by, the UK Patent Office and the prescribed fee paid, or unless the applicant has supplied the infringer, before the infringing act occurred, with a translation into English of the claims.

INFORMATION ON CONTRACTING STATES (cont'd)

Provisional protection pursuant to international protection (cont'd):

(c) International application published in a language which is not an EPO official language: The right referred to above does not become effective until the EPO publishes the international application supplied to it in one of its official languages except that, from September 1, 1987, if the EPO republishes the application in French or German, paragraph (b) applies.

[Updating of PCT Gazette No. 02/1987, Annex B1(GB), page 258]

United States of America

The United States Patent and Trademark Office has informed the International Bureau that it waives in part the requirements under PCT Article 20(1)(a) (that the international application, together with the international search report, shall be communicated to it) as follows:

"In certain circumstances the requirements of PCT Article 20(1)(a) are waived. Under 35 U.S.C. 371, enacted by Public Law 94-131 as amended by Public Law 98-622, the United States Patent and Trademark Office, as a designated Office, requires receipt from the International Bureau of copies of all international applications designating the United States, except with respect to international applications filed in the United States Receiving Office. In the case of the latter international applications, however, receipt from the International Bureau of copies of international search reports is required when such reports were prepared by an International Searching Authority other than the United States Patent and Trademark Office. In addition, receipt from the International Bureau of copies of any amendments to the claims under Article 19 is required in all instances involving international applications designating the United States."

DESIGNATED (OR ELECTED) OFFICES

United States Patent and Trademark Office (USPTO)

The partial waiver of the requirements under PCT Article 20(1)(a) reproduced above has the following effect in respect of the requirement for the furnishing of a copy of the international application to the USPTO by the applicant:

Is a copy of the international application required?

(a) A copy is required only if applicant has not received Form PCT/IB/308 and the USPTO has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2).

(b) No copy is required if the international application was filed with the USPTO as receiving Office with one exception: a copy of amendments of the claims filed under PCT Article 19 with the International Bureau is required under the conditions indicated under paragraph (a), above.

[Updating of PCT Gazette No. 02/1987, Summary (US), page 382]

RECEIVING OFFICES

United Kingdom

The United Kingdom Patent Office has notified the International Bureau of a clarification of its requirement as to who can act as an agent before it as receiving Office, as follows:

Who can act as an agent?

Any person who resides in or has a place of business in the UK. However, if he carries out for gain in the UK the business of acting as agent for the purposes of applying for or obtaining patents (other than European patents) he must be a registered patent agent or a solicitor. (A list of registered patent agents may be obtained from The Registrar, c/o The Chartered Institute of Patent Agents, Staple Inn Buildings, High Holborn, London WC1V 7PZ.)

[Updating of PCT Gazette No. 02/1987, Annex C (GB), page 314]

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

RECEIVING OFFICES

Italy

The Central Patent Office of Italy has informed the International Bureau of the following requirements in respect of the language in which international applications may be filed:

Language in which international applications may be filed:

English, French or German.
The international application filed by a resident of Italy must be accompanied by a translation into Italian of the description and the claims (for the purposes of Section 27ter of the Royal Decree No. 1127/1939) if no priority of an earlier national (Italian) application is claimed or, where such priority is claimed, if the international application is filed prior to the expiration of 90 days from the filing date of that earlier national application.

[Updating of PCT Gazette No. 02/1987, Annex C(IT), page 316]

REFERENCES TO DEPOSITS OF MICROORGANISMS

European Patent Organisation

Pursuant to PCT Rule 13bis.7, the European Patent Office has notified the International Bureau of amendments to the table concerning references to deposits of microorganisms, contained in Annex M1, published in PCT Gazette No. 02/1987, as follows:

Footnote (9): European Patent Office:

(a) deposits with CNCM can be made under the Budapest Treaty or, as far as the deposit of cell cultures, mycoplasma and rickettsiae is concerned, under a bilateral agreement with the European Patent Office;

(b) [the previous text of footnote (9)]

[Updating of PCT Gazette No. 02/1987, Annex M1, page 350]

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

INFORMATION ON CONTRACTING STATES

Soviet Union

The USSR State Committee for Inventions and Discoveries has notified the International Bureau of modifications, with effect from July 8, 1987, concerning the languages into which international preliminary examination reports must be translated. The requirement of that Office under PCT Rule 72.1(a) reads as follows:

Languages into which the international preliminary examination report must be translated by the International Bureau

English, French, German or Russian if the international preliminary examination report is not in one of those languages

[Updating of PCT Gazette No. 16/1987, Annex B1 (SU), page 2789]

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

FEES PAYABLE UNDER THE PCT

The European Patent Office (EPO) has informed the International Bureau that, with effect from August 1, 1987, nationals from the Contracting States listed below are entitled to request a reduction by three-quarters of the fee for international search and for international preliminary examination by the EPO in accordance with the conditions fixed in the decision of the EPO's Administrative Council of December 9, 1983, as amended on June 8, 1984 (published in PCT Gazette No. 25/1984, page 3097):

Barbados, Benin, Cameroon, Central African Republic, Chad, Congo, Gabon, Mali, Mauritania, Senegal, Sri Lanka, Togo

Forms for requesting the fee reduction can be obtained from the International Bureau and from the EPO.

[Updating of PCT Gazette No. 16/1987, Annex C(WO), page 2828]

DESIGNATED (OR ELECTED) OFFICES

Republic of Korea

The Office of Patents Administration of the Republic of Korea has informed the International Bureau that a translation into Korean of the Request (Form PCT/RO/101) is no longer required for the entry into the national phase.

The translation must contain:

Description, claims (if amended, both the claims as originally filed and as amended as well as any statement made under PCT Article 19), any text matter of drawings.

[Updating of PCT Gazette No. 16/1987, Summary(KR), page 2867]

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

INFORMATION ON CONTRACTING STATES AND INTERGOVERNMENTAL ORGANIZATIONS

Australia

The Australian Patent Office has notified a change of its telecopier number as follows:

Telecopier: (062) 811841

[Updating of PCT Gazette No. 16/1987, Annex B1(AU), page 2730]

European Patent Organisation

The European Patent Office has notified the International Bureau that it is prepared, with effect from October 1, 1987, to receive documents sent by telecopier.

Telecopier: (089) 2399-4465 (Munich)
(070) 40-3016 (The Hague)

Means of receipt of documents
under PCT Rule 92.4: Telegraph, teleprinter, telecopier

[Updating of PCT Gazette No. 16/1987, Annex B2(EP), page 2794]

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

INFORMATION ON CONTRACTING STATES

DESIGNATED (OR ELECTED) OFFICES

Japan

On September 8, 1987, Japan notified the withdrawal of its declaration under PCT Article 64(2)(a) concerning in particular the time limit applicable under Chapter II of the PCT for the furnishing of a translation into Japanese of the international application. Thus, Japan will become bound by the provisions of Chapter II of the PCT without any reservations on December 8, 1987.

The withdrawal of the said declaration has the effect that, as from December 8, 1987, the provisions of PCT Article 39(1)(a) (under which a translation of the international application into Japanese must be furnished within 30 months from the priority date) will apply in respect of the Japanese Patent Office as elected Office.

This 30-month time limit applies also to international applications which have been filed before December 8, 1987, provided that Japan has been elected in a demand for international preliminary examination or in a later election prior to the expiration of the 19th month from the priority date and that on December 8, 1987, 20 months from the priority date have not expired.

[Updating of PCT Gazette No. 16/1987, Summary (JP), page 2865]

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

INSTITUTIONS WITH WHICH DEPOSITS MAY BE MADE

Bulgaria

Pursuant to PCT Rule 13bis.7(b), the Institute of Inventions and Rationalizations of Bulgaria has notified the International Bureau of a depositary institution with which deposits of microorganisms may be made for the purposes of patent procedure before that Office as follows:

"National Bank for Industrial Microorganisms and
Cell Cultures (NBIMCC)*
125 Lenin bd., block 2
1113 Sofia
Bulgaria"

[Updating of PCT Gazette No. 16/1987, Annex M2, page 2850]

Soviet Union

Pursuant to PCT Rule 13bis.7(b), the USSR State Committee for Inventions and Discoveries has notified the International Bureau of an additional depositary institution with which deposits of microorganisms may be made for the purposes of patent procedure before that Office as follows:

"USSR Research Institute for Genetics and
Industrial Microorganism Breeding (VNIIGIMI)*
Dorozhnaya ul., 8
Moscow 113545
Soviet Union"

[Updating of PCT Gazette No. 16/1987, Annex M2, page 2850]

United States of America

Pursuant to PCT Rule 13bis.7(b), the United States Patent and Trademark Office has notified the International Bureau of a change in the name of the depositary institution listed as "Agricultural Research Culture Collection (NRRL)" in Annex M2, published in PCT Gazette No. 16/1987, as follows:

"Agricultural Research Service Culture Collection (NRRL)"

[Updating of PCT Gazette No. 16/1987, Annex M2, page 2850]

* Depositary institution having acquired the status of international depositary authority under the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure.

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

INTERNATIONAL SEARCHING AUTHORITIES

INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES

Introductory Note

The Assembly of the International Patent Cooperation Union (PCT Assembly), during its fifteenth session, held in Geneva from September 21 to 30, 1987, decided to extend until December 31, 1997, the appointment of the seven International Searching and Preliminary Examining Authorities named below and approved the corresponding agreements concluded under Articles 16(3)(b) and 32(3) of the PCT. The Authorities are the following:

Patent Office of the Government of Australia
Austrian Patent Office
Patent Office of Japan
USSR State Committee for Inventions and Discoveries
Royal Patent and Registration Office of Sweden
United States Patent and Trademark Office
European Patent Office

The agreements will enter into force on January 1, 1988, and will, as from that date, supersede the earlier agreements concluded under Articles 16(3)(b) and 32(3) of the PCT with the said Authorities. The texts of the agreements are reproduced below.

Agreement between
the GOVERNMENT OF AUSTRALIA and the WORLD INTELLECTUAL PROPERTY ORGANIZATION
in relation to the functioning of the PATENT OFFICE OF THE GOVERNMENT
OF AUSTRALIA as an International Searching and International Preliminary
Examining Authority under the Patent Cooperation Treaty

Preamble

The Government of Australia and the World Intellectual Property Organization,
considering that the Agreement of February 29, 1980, between the Patent Office of the Government of Australia and the International Bureau under Articles 16(3)(b) and 32(3) of the Patent Cooperation Treaty was concluded for a period of ten years,

desirous to continue the appointment of the Patent Office of the Government of Australia as an International Searching and International Preliminary Examining Authority under the Patent Cooperation Treaty,

hereby agree as follows:

Article 1

Terms and Expressions Used in the Agreement

(1) For the purposes of this Agreement:

- (a) "Treaty" means the Patent Cooperation Treaty;
- (b) "Regulations" means the Regulations under the Treaty;
- (c) "Administrative Instructions" means the Administrative Instructions under the Treaty;
- (d) "Article" (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
- (e) "Rule" means a Rule of the Regulations;
- (f) "Contracting State" means a State party to the Treaty;
- (g) "Authority" means the Patent Office of the Government of Australia.

(2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2

Basic Obligations

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching and International Preliminary Examining Authority as are provided under the Treaty, the Regulations, the Administrative Instructions and this Agreement. In carrying out international search and international preliminary examination, the Authority shall be guided by the Guidelines for International Search and for International Preliminary Examination to be Carried Out under the Patent Cooperation Treaty. The Authority shall apply and observe all the common rules of international search and of international preliminary examination.

(2) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent possible, mutual assistance in the performance of their functions thereunder.

Article 3

Competence of Authority

(1) The Authority shall act as an International Searching Authority for all international applications filed with the receiving Office of, or acting for, any Contracting State indicated in Annex A of this Agreement, provided that the receiving Office specifies the Authority for that purpose and that such applications are in one of the languages specified in Annex A of this Agreement.

(2) The Authority shall act as an International Preliminary Examining Authority for all international applications filed with the receiving Office of, or acting for, any Contracting State indicated in Annex A of this Agreement, provided that the receiving Office specifies the Authority for that purpose and that such applications are in one of the languages specified in Annex A of this Agreement.

Article 4

Subject Matter Not Required to be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or shall not be obliged to examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that the international application relates to subject matter set forth in Rule 39.1 or Rule 67.1, as the case may be, with the exception of the subject matter specified in Annex B of this Agreement.

Article 5

Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its function as an International Searching and International Preliminary Examining Authority, is set out in Annex C of this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C of this Agreement, refund the whole or part of the search fee paid where an international search report can be wholly or partly based on the results of an earlier search made by the Authority (Rules 16.3 and 41.1) or where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall, under the conditions and to the extent set out in Annex C of this Agreement, refund the whole or part of the preliminary examination fee paid where the demand is considered as if it had not been submitted (Rule 58.3) or where the demand or the international application is withdrawn by the applicant before the start of the international preliminary examination.

Article 6

Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate solely the International Patent Classification.

Article 7

Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, the Authority shall use the English language.

Article 8

International-Type Search

The Authority shall carry out international-type searches to the extent decided by it.

Article 9

Entry Into Force of the Agreement

(1) This Agreement shall enter into force on January 1, 1988.

(2) This Agreement supersedes, as from the date of its entry into force, the Agreement which was concluded on February 29, 1980.

Article 10

Duration and Renewability of the Agreement

This Agreement shall remain in force until December 31, 1997. The parties to this Agreement shall, no later than January 1997, start negotiations for its renewal.

Article 11

Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes of this Agreement by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(3) The Authority may, by notice in writing given to the Director General of the World Intellectual Property Organization:

(i) add to the languages listed in Annex A of this Agreement;

(ii) amend the schedule of fees and other charges contained in Annex C of this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified by the Authority, provided that for any increase of fees or other charges contained in Annex C that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 12

Termination of the Agreement

(1) This Agreement shall terminate before December 31, 1997:

(i) if the Government of Australia gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

(ii) if the Director General of the World Intellectual Property Organization gives the Government of Australia written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

IN WITNESS WHEREOF the parties hereto have executed this Agreement.

DONE at Geneva, this 11th day of November 1987, in two originals in the English language.

For the Government of
Australia by:
(signed) Robert Henry Robertson
Permanent Representative of Australia
to the United Nations in Geneva

For the World Intellectual Property
Organization by:
(signed) A. Bogsch
Director General

ANNEX A

STATES AND LANGUAGES

Under Article 3 of the Agreement, the Authority

(i) shall act for the following States:

Australia and

the States regarded as developing countries in conformity with the established practice of the General Assembly of the United Nations;

(ii) specifies the following language:

English.

ANNEX B

SUBJECT MATTER NOT EXCLUDED FROM SEARCH OR EXAMINATION

The subject matter set forth in Rule 39.1 or Rule 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

None.

ANNEX C

FEES AND CHARGES FOR INTERNATIONAL SEARCH
AND PRELIMINARY EXAMINATIONPart I: Schedule of Fees and Charges

<u>Kind of fee or charge</u>	<u>Amount</u> Australian Dollars
Search fee (Rule 16.1(a)).....	430
Additional fee (Rule 40.2(a))	380
Preliminary examination fee (Rule 58.1(b))	215
Additional fee (Rule 68.3(a))	215
Providing copies of cited documents (Rules 44.3(b) and 71.2(b))	5 per document

Part II: Conditions and Extent of Refunds of the Search Fee and of the Preliminary Examination Fee

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the international application is withdrawn or is considered withdrawn, under Article 14(1),(3) or (4), before the start of the international search, the amount of the search fee paid shall be fully refunded.

(3) Where the Authority benefits from an earlier search, 25%, 50%, 75% or 90% of the search fee shall be refunded, depending upon the extent to which the Authority benefits from that earlier search.

(4) In the cases provided for under Rule 58.3, the amount of the preliminary examination fee paid shall be fully refunded.

(5) If the international application or the demand is withdrawn before the start of the international preliminary examination, the amount of the preliminary examination fee paid shall be fully refunded.

Agreement between
the FEDERAL MINISTER FOR ECONOMIC AFFAIRS of the REPUBLIC OF AUSTRIA
and the WORLD INTELLECTUAL PROPERTY ORGANIZATION in relation to the
functioning of the AUSTRIAN PATENT OFFICE as an
International Searching and International Preliminary
Examining Authority under the Patent Cooperation Treaty

Preamble

The Federal Minister for Economic Affairs of the Republic of Austria and
the World Intellectual Property Organization,

considering that the Agreement of February 21, 1979, between the Federal
Minister for Trade, Commerce and Industry of Austria and the International
Bureau under Articles 16(3)(b) and 32(3) of the Patent Cooperation Treaty was
concluded for a period of ten years,

desirous to continue the appointment of the Austrian Patent Office as an
International Searching and International Preliminary Examining Authority
under the Patent Cooperation Treaty,

hereby agree as follows:

Article 1

Terms and Expressions Used in the Agreement

(1) For the purposes of this Agreement:

- (a) "Treaty" means the Patent Cooperation Treaty;
- (b) "Regulations" means the Regulations under the Treaty;
- (c) "Administrative Instructions" means the Administrative Instructions under the Treaty;
- (d) "Article" (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
- (e) "Rule" means a Rule of the Regulations;
- (f) "Contracting State" means a State party to the Treaty;
- (g) "Authority" means the Austrian Patent Office.

(2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2

Basic Obligations

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching and International Preliminary Examining Authority as are provided under the Treaty, the Regulations, the Administrative Instructions and this Agreement. In carrying out international search and international preliminary examination, the Authority shall be guided by the Guidelines for International Search and for International Preliminary Examination to be Carried Out under the Patent Cooperation Treaty. The Authority shall apply and observe all the common rules of international search and of international preliminary examination.

(2) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent possible, mutual assistance in the performance of their functions thereunder.

Article 3

Competence of Authority

(1) The Authority shall act as an International Searching Authority for all international applications filed with the receiving Office of, or acting for, any Contracting State indicated in Annex A of this Agreement, provided that the receiving Office specifies the Authority for that purpose and that such applications are in one of the languages specified in Annex A of this Agreement.

(2) The Authority shall act as an International Preliminary Examining Authority for all international applications filed with the receiving Office of, or acting for, any Contracting State indicated in Annex A of this Agreement, provided that the receiving Office specifies the Authority for that purpose and that such applications are in one of the languages specified in Annex A of this Agreement.

Article 4

Subject Matter Not Required to be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or shall not be obliged to examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that the international application relates to subject matter set forth in Rule 39.1 or Rule 67.1, as the case may be, with the exception of the subject matter specified in Annex B of this Agreement.

Article 5

Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its function as an International Searching and International Preliminary Examining Authority, is set out in Annex C of this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C of this Agreement, refund the whole or part of the search fee paid where an international search report can be wholly or partly based on the results of an earlier search made by the Authority (Rules 16.3 and 41.1) or where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall, under the conditions and to the extent set out in Annex C of this Agreement, refund the whole or part of the preliminary examination fee paid where the demand is considered as if it had not been submitted (Rule 58.3) or where the demand or the international application is withdrawn by the applicant before the start of the international preliminary examination.

Article 6

Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate solely the International Patent Classification.

Article 7

Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, other than with the International Bureau, the Authority shall use the language, specified in Annex A of this Agreement, which is the language of the international application.

Article 8

International-Type Search

The Authority shall carry out international-type searches to the extent decided by it.

Article 9

Entry Into Force of the Agreement

(1) This Agreement shall enter into force on January 1, 1988.

(2) This Agreement supersedes, as from the date of its entry into force, the Agreement which was concluded on February 21, 1979.

Article 10Duration and Renewability of the Agreement

This Agreement shall remain in force until December 31, 1997. Latest in January 1997, the parties to this Agreement shall start negotiations for its renewal.

Article 11Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes of this Agreement by agreement between the Director General of the World Intellectual Property Organization and the Federal Minister for Economic Affairs of the Republic of Austria; they shall take effect on the date agreed upon by them.

(3) The Federal Minister for Economic Affairs of the Republic of Austria may, by notice in writing given to the Director General of the World Intellectual Property Organization:

(i) add to the States and languages listed in Annex A of this Agreement;

(ii) amend the schedule of fees and other charges contained in Annex C of this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified by the Federal Minister for Economic Affairs of the Republic of Austria, provided that for any increase of fees or other charges contained in Annex C that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 12Termination of the Agreement

(1) This Agreement shall terminate before December 31, 1997:

(i) if the Federal Minister for Economic Affairs of the Republic of Austria gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

(ii) if the Director General of the World Intellectual Property Organization gives the Federal Minister for Economic Affairs of the Republic of Austria written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

IN WITNESS WHEREOF the parties hereto have executed this Agreement.

DONE at Geneva, this 26th day of September 1987, in two originals in the English language.

For the Federal Minister for Economic
Affairs of the Republic of Austria by:
(signed) O. Leberl
President, Austrian Patent Office

For the World Intellectual Property
Organization by:
(signed) A. Bogsch
Director General

ANNEX A

STATES AND LANGUAGES

Under Article 3 of the Agreement, the Authority

(i) shall act for the following States:

the Hungarian People's Republic and the States regarded as a developing country in conformity with the established practice of the General Assembly of the United Nations, provided that the Republic of Austria, in accordance with its obligations undertaken within the framework of the European Patent Organisation, has concluded with those States an agreement for that purpose;

(ii) specifies the following languages:

English,
French,
German.

ANNEX B

SUBJECT MATTER NOT EXCLUDED FROM SEARCH OR EXAMINATION

The subject matter set forth in Rule 39.1 or Rule 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

Methods for treatment of the animal body by surgery or therapy, as well as diagnostic methods.

ANNEX C

FEES AND CHARGES FOR INTERNATIONAL SEARCH
AND PRELIMINARY EXAMINATIONPart I: Schedule of Fees and Charges

<u>Kind of fee or charge</u>	<u>Amount Schilling</u>
Search fee (Rule 16.1(a)).....	2,000
Additional fee (Rule 40.2(a))	2,000
Preliminary examination fee (Rule 58.1(b))	2,000
Additional fee (Rule 68.3(a))	2,000
Cost of copies (Rules 44.3(b), 71.2(b) and 94.1)	6 per page

Part II: Conditions and Extent of Refunds of the Search Fee and of the Preliminary Examination Fee

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the international application is withdrawn or is considered withdrawn, under Article 14(1), (3) or (4), before the start of the international search, the amount of the search fee paid shall be fully refunded.

(3) Where the Authority benefits from an earlier search to the full extent or to a substantially prevailing portion, 75% of the search fee shall be refunded.

(4) In the cases provided for under Rule 58.3, the amount of the preliminary examination fee paid shall be fully refunded.

(5) If the international application or the demand is withdrawn before the start of the international preliminary examination, the amount of the preliminary examination fee paid shall be fully refunded.

Agreement between
the PATENT OFFICE OF JAPAN and the WORLD INTELLECTUAL PROPERTY ORGANIZATION
in relation to the functioning of the PATENT OFFICE OF JAPAN as an
International Searching and International Preliminary
Examining Authority under the Patent Cooperation Treaty

Preamble

The Patent Office of Japan and the World Intellectual Property Organization,

considering that the Agreement of July 15, 1978, between the Patent Office of Japan and the International Bureau under Articles 16(3)(b) and 32(3) of the Patent Cooperation Treaty was concluded for a period of ten years,

desirous to continue the appointment of the Patent Office of Japan as an International Searching and International Preliminary Examining Authority under the Patent Cooperation Treaty,

hereby agree as follows:

Article 1

Terms and Expressions Used in the Agreement

(1) For the purposes of this Agreement:

- (a) "Treaty" means the Patent Cooperation Treaty;
- (b) "Regulations" means the Regulations under the Treaty;
- (c) "Administrative Instructions" means the Administrative Instructions under the Treaty;
- (d) "Article" (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
- (e) "Rule" means a Rule of the Regulations;
- (f) "Contracting State" means a State party to the Treaty;
- (g) "Authority" means the Patent Office of Japan.

(2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2

Basic Obligations

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching and International Preliminary Examining Authority as are provided under the Treaty, the Regulations, the Administrative Instructions and this Agreement. In carrying out international search and international preliminary examination, the Authority shall be guided by the Guidelines for International Search and for International Preliminary Examination to be Carried Out under the Patent Cooperation Treaty. The Authority shall apply and observe all the common rules of international search and of international preliminary examination.

(2) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent possible, mutual assistance in the performance of their functions thereunder.

Article 3

Competence of Authority

(1) The Authority shall act as an International Searching Authority for all international applications filed with the receiving Office of, or acting for, any Contracting State indicated in Annex A of this Agreement, provided that the receiving Office specifies the Authority for that purpose and that such applications are in one of the languages specified in Annex A of this Agreement.

(2) The Authority shall act as an International Preliminary Examining Authority for all international applications filed with the receiving Office of, or acting for, any Contracting State indicated in Annex A of this Agreement, provided that the receiving Office specifies the Authority for that purpose and that such applications are in one of the languages specified in Annex A of this Agreement.

Article 4

Subject Matter Not Required to be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or shall not be obliged to examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that the international application relates to subject matter set forth in Rule 39.1 or Rule 67.1, as the case may be, with the exception of the subject matter specified in Annex B of this Agreement.

Article 5

Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its function as an International Searching and International Preliminary Examining Authority, is set out in Annex C of this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C of this Agreement, refund the whole or part of the search fee paid where an international search report can be wholly or partly based on the results of an earlier search made by the Authority (Rules 16.3 and 41.1) or where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall, under the conditions and to the extent set out in Annex C of this Agreement, refund the whole or part of the preliminary examination fee paid where the demand is considered as if it had not been submitted (Rule 58.3) or where the demand or the international application is withdrawn by the applicant before the start of the international preliminary examination.

Article 6

Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate solely the International Patent Classification.

Article 7

Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, other than with the International Bureau, the Authority shall use the language, specified in Annex A of this Agreement, which is the language of the international application.

Article 8

Entry Into Force of the Agreement

(1) This Agreement shall enter into force on January 1, 1988.

(2) This Agreement supersedes, as from the date of its entry into force, the Agreement which was concluded on July 15, 1978.

Article 9Duration and Renewability of the Agreement

This Agreement shall remain in force until December 31, 1997. Latest in January 1997, the parties to this Agreement shall start negotiations for its renewal.

Article 10Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes of this Agreement by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(3) The Authority may, by notice in writing given to the Director General of the World Intellectual Property Organization:

(i) add to the languages listed in Annex A of this Agreement;

(ii) amend the schedule of fees and other charges contained in Annex C of this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified by the Authority, provided that for any increase of fees or other charges contained in Annex C that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 11Termination of the Agreement

(1) This Agreement shall terminate before December 31, 1997:

(i) if the Authority gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

(ii) if the Director General of the World Intellectual Property Organization gives the Authority written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

IN WITNESS WHEREOF the parties hereto have executed this Agreement.

DONE at Geneva, this 28th day of September 1987, in two originals in the English and Japanese languages, each text being equally authentic.

For the Authority by:
(signed) Kunio Ogawa
Director General
Japanese Patent Office

For the World Intellectual Property
Organization by:
(signed) A. Bogsch
Director General

ANNEX A

STATES AND LANGUAGES

Under Article 3 of the Agreement, the Authority

(i) shall act for the following States:

Japan,
Republic of Korea;

(ii) specifies the following languages:

Japanese,
English (where the international application is filed with the
Japanese Patent Office).

Note

At the first session of the Assembly of the PCT Union (April 1978), the Delegation of Japan offered the services of the Japanese Patent Office as International Searching and International Preliminary Examining Authority under this Agreement to nationals and residents of all those States in Asia that would become party to the PCT, on the same conditions as those services would be available to Japanese nationals.

ANNEX B

SUBJECT MATTER NOT EXCLUDED
FROM SEARCH OR EXAMINATION

The subject matter set forth in Rule 39.1 or Rule 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

None.

ANNEX C

FEES AND CHARGES FOR INTERNATIONAL SEARCH
AND PRELIMINARY EXAMINATIONPart I: Schedule of Fees and Charges

<u>Kind of fee or charge</u>	<u>Amount Yen</u>
Search fee (Rule 16.1(a)).....	54,000
Additional fee (Rule 40.2(a))	47,000
Preliminary examination fee (Rule 58.1(b))	20,000
Additional fee (Rule 68.3(a))	13,000
Cost of copies (Rules 44.3(b), 71.2(b) and 94.1)	1,300 per document

Part II: Conditions and Extent of Refunds of the Search Fee and of the Preliminary Examination Fee

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the international search report can be based to a considerable part on an earlier search, the amount of 23,000 Yen shall be refunded upon request.

(3) In the cases provided for under Rule 58.3, the amount of the preliminary examination fee paid shall be fully refunded.

(4) As long as the refund of the search fee (in the case where the international application is withdrawn or is considered withdrawn, under Article 14(1), (3) or (4), before the start of the international search) and the refund of the preliminary examination fee (in the case where the international application or the demand is withdrawn before the start of the international preliminary examination) continue to be not compatible with the national law of the Authority, the Authority may abstain from refunding the fees.

Agreement between
the USSR STATE COMMITTEE FOR INVENTIONS AND DISCOVERIES and the WORLD
INTELLECTUAL PROPERTY ORGANIZATION in relation to the functioning of the
USSR STATE COMMITTEE FOR INVENTIONS AND DISCOVERIES as an
International Searching and International Preliminary
Examining Authority under the Patent Cooperation Treaty

Preamble

The USSR State Committee for Inventions and Discoveries and the World Intellectual Property Organization,

considering that the Agreement of April 11, 1978, between the State Committee for Inventions and Discoveries of the USSR Council of Ministers and the International Bureau under Articles 16(3)(b) and 32(3) of the Patent Cooperation Treaty was concluded for a period of ten years,

desirous to continue the appointment of the USSR State Committee for Inventions and Discoveries as an International Searching and International Preliminary Examining Authority under the Patent Cooperation Treaty,

hereby agree as follows:

Article 1

Terms and Expressions Used in the Agreement

(1) For the purposes of this Agreement:

- (a) "Treaty" means the Patent Cooperation Treaty;
- (b) "Regulations" means the Regulations under the Treaty;
- (c) "Administrative Instructions" means the Administrative Instructions under the Treaty;
- (d) "Article" (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
- (e) "Rule" means a Rule of the Regulations;
- (f) "Contracting State" means a State party to the Treaty;
- (g) "Authority" means the USSR State Committee for Inventions and Discoveries.

(2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2

Basic Obligations

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching and International Preliminary Examining Authority as are provided under the Treaty, the Regulations, the Administrative Instructions and this Agreement. In carrying out international search and international preliminary examination, the Authority shall be guided by the Guidelines for International Search and for International Preliminary Examination to be Carried Out under the Patent Cooperation Treaty. The Authority shall apply and observe all the common rules of international search and of international preliminary examination.

(2) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent possible, mutual assistance in the performance of their functions thereunder.

Article 3

Competence of Authority

(1) The Authority shall act as an International Searching Authority for all international applications filed with the receiving Office of, or acting for, any Contracting State, provided that the receiving Office specifies the Authority for that purpose and that such applications are in one of the languages specified in Annex A of this Agreement.

(2) The Authority shall act as an International Preliminary Examining Authority for all international applications filed with the receiving Office of, or acting for, any Contracting State, provided that the receiving Office specifies the Authority for that purpose and that such applications are in one of the languages specified in Annex A of this Agreement.

Article 4

Subject Matter Not Required to be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or shall not be obliged to examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that the international application relates to subject matter set forth in Rule 39.1 or Rule 67.1, as the case may be, with the exception of the subject matter specified in Annex B of this Agreement.

Article 5

Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its function as an International Searching and International Preliminary Examining Authority, is set out in Annex C of this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C of this Agreement, refund the whole or part of the search fee paid where an international search report can be wholly or partly based on the results of an earlier search made by the Authority (Rules 16.3 and 41.1) or where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall, under the conditions and to the extent set out in Annex C of this Agreement, refund the whole or part of the preliminary examination fee paid where the demand is considered as if it had not been submitted (Rule 58.3) or where the demand or the international application is withdrawn by the applicant before the start of the international preliminary examination.

Article 6

Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate solely the International Patent Classification.

Article 7

Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, other than with the International Bureau, the Authority shall use the language, specified in Annex A of this Agreement, which is the language of the international application.

Article 8

International-Type Search

The Authority shall carry out international-type searches to the extent decided by it.

Article 9

Entry Into Force of the Agreement

(1) This Agreement shall enter into force on January 1, 1988.

(2) This Agreement supersedes, as from the date of its entry into force, the Agreement which was concluded on April 11, 1978.

Article 10

Duration and Renewability of the Agreement

This Agreement shall remain in force until December 31, 1997. Latest in January 1997, the parties to this Agreement shall start negotiations for its renewal.

Article 11

Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes of this Agreement by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(3) The Authority may, by notice in writing given to the Director General of the World Intellectual Property Organization:

- (i) add to the languages listed in Annex A of this Agreement;
- (ii) amend the schedule of fees and other charges contained in Annex C of this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified by the Authority, provided that for any increase of fees or other charges contained in Annex C that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 12

Termination of the Agreement

(1) This Agreement shall terminate before December 31, 1997:

(i) if the Authority gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

(ii) if the Director General of the World Intellectual Property Organization gives the Authority written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

IN WITNESS WHEREOF the parties hereto have executed this Agreement.

DONE at Geneva, this 5th day of November 1987, in two originals in the English and Russian languages, each text being equally authentic.

For the Authority by:
(signed) I.S. Nayashkov
Chairman, USSR State Committee
for Inventions and Discoveries

For the World Intellectual Property
Organization by:
(signed) A. Bogsch
Director General

ANNEX A

STATES AND LANGUAGES

Under Article 3 of the Agreement, the Authority specifies the following languages:

Russian
English,
French,
German.

ANNEX B

SUBJECT MATTER NOT EXCLUDED FROM SEARCH OR EXAMINATION

The subject matter set forth in Rule 39.1 or Rule 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

None.

ANNEX C

FEES AND CHARGES FOR INTERNATIONAL SEARCH
AND PRELIMINARY EXAMINATIONPart I: Schedule of Fees and Charges

<u>Kind of fee or charge</u>	<u>Amount</u> Rouble
Search fee (Rule 16.1(a)).....	250
Additional fee (Rule 40.2(a))	170
Preliminary examination fee (Rule 58.1(b)):	
(i) where the international search report has been established by the Authority	150
(ii) where the international search report has been established by an International Searching Authority other than the Authority	300
Additional fee (Rule 68.3(a)):	
(i) where the international search report has been established by the Authority	100
(ii) where the international search report has been established by an International Searching Authority other than the Authority	200
Cost of copies of cited documents (Rules 44.3(b) and 71.2(b)).....	0.20 per page
Cost of copies of documents contained in the file of the international application (Rule 94.1)	0.50 per page

Part II: Conditions and Extent of Refunds of the Search Fee and of the
Preliminary Examination Fee

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the international application is withdrawn or is considered withdrawn, under Article 14(1),(3) or (4), before the start of the international search, the amount of the search fee paid shall be fully refunded.

Annex C, page 2

(3) Where the international search report is based on an earlier search the following refund shall be made:

(i) if the earlier search was so complete that only a minor updating search is required: refund of 90% (50%)*;

(ii) if the earlier search relates practically to the same invention but the claims in the international application under consideration differ so that it is necessary to search 1-3 additional IPC subgroups: refund of 70% (40%)*;

(iii) if the earlier search saves one half of the efforts usually made to carry out international search: refund of 40% (25%)*;

(iv) if the earlier search applies only to a few IPC subgroups: refund of 20% (10%)*.

(4) In the cases provided for under Rule 58.3, the amount of the preliminary examination fee paid less 25 Roubles shall be fully refunded.

(5) If the international application or the demand is withdrawn before the start of the international preliminary examination, the amount of the preliminary examination fee paid shall be fully refunded.

* The amount in brackets is applicable if the earlier search has been carried out by the Authority under the WIPO Permanent Program for Development Cooperation Related to Industrial Property or on request of a member State of the Council for Mutual Economic Assistance (CMEA).

Agreement between
the ROYAL PATENT AND REGISTRATION OFFICE OF SWEDEN and the WORLD
INTELLECTUAL PROPERTY ORGANIZATION in relation to the functioning of the
ROYAL PATENT AND REGISTRATION OFFICE OF SWEDEN as an International
Searching and International Preliminary Examining Authority
under the Patent Cooperation Treaty

Preamble

The Royal Patent and Registration Office of Sweden and the World Intellectual Property Organization,

considering that the Agreement of April 11, 1978, between the Royal Patent and Registration Office of Sweden and the International Bureau under Articles 16(3)(b) and 32(3) of the Patent Cooperation Treaty was concluded for a period of ten years,

desirous to continue the appointment of the Royal Patent and Registration Office of Sweden as an International Searching and International Preliminary Examining Authority under the Patent Cooperation Treaty,

hereby agree as follows:

Article 1

Terms and Expressions Used in the Agreement

(1) For the purposes of this Agreement:

- (a) "Treaty" means the Patent Cooperation Treaty;
- (b) "Regulations" means the Regulations under the Treaty;
- (c) "Administrative Instructions" means the Administrative Instructions under the Treaty;
- (d) "Article" (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
- (e) "Rule" means a Rule of the Regulations;
- (f) "Contracting State" means a State party to the Treaty;
- (g) "Authority" means the Royal Patent and Registration Office of Sweden.

(2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2

Basic Obligations

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching and International Preliminary Examining Authority as are provided under the Treaty, the Regulations, the Administrative Instructions and this Agreement. In carrying out international search and international preliminary examination, the Authority shall be guided by the Guidelines for International Search and for International Preliminary Examination to be Carried Out under the Patent Cooperation Treaty. The Authority shall apply and observe all the common rules of international search and of international preliminary examination.

(2) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent possible, mutual assistance in the performance of their functions thereunder.

Article 3

Competence of Authority

(1) The Authority shall act as an International Searching Authority for all international applications filed with the receiving Office of, or acting for, any Contracting State indicated in Annex A of this Agreement, provided that the receiving Office specifies the Authority for that purpose and that such applications are in one of the languages specified in Annex A of this Agreement.

(2) The Authority shall act as an International Preliminary Examining Authority for all international applications filed with the receiving Office of, or acting for, any Contracting State indicated in Annex A of this Agreement, provided that the receiving Office specifies the Authority for that purpose and that such applications are in one of the languages specified in Annex A of this Agreement.

Article 4

Subject Matter Not Required to be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or shall not be obliged to examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that the international application relates to subject matter set forth in Rule 39.1 or Rule 67.1, as the case may be, with the exception of the subject matter specified in Annex B of this Agreement.

Article 5

Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its function as an International Searching and International Preliminary Examining Authority, is set out in Annex C of this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C of this Agreement, refund the whole or part of the search fee paid where an international search report can be wholly or partly based on the results of an earlier search made by the Authority (Rules 16.3 and 41.1) or where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall, under the conditions and to the extent set out in Annex C of this Agreement, refund the whole or part of the preliminary examination fee paid where the demand is considered as if it had not been submitted (Rule 58.3) or where the demand or the international application is withdrawn by the applicant before the start of the international preliminary examination.

Article 6

Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate solely the International Patent Classification.

Article 7

Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, other than with the International Bureau, the Authority shall use English or Swedish and may use instead any other language specified in Annex A of this Agreement where that language is the language of the international application.

Article 8

International-Type Search

The Authority shall carry out international-type searches to the extent decided by it.

Article 9

Entry Into Force of the Agreement

(1) This Agreement shall enter into force on January 1, 1988.

(2) This Agreement supersedes, as from the date of its entry into force, the Agreement which was concluded on April 11, 1978.

Article 10Duration and Renewability of the Agreement

This Agreement shall remain in force until December 31, 1997. Latest in January 1997, the parties to this Agreement shall start negotiations for its renewal.

Article 11Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes of this Agreement by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(3) The Authority may, by notice in writing given to the Director General of the World Intellectual Property Organization:

(i) add to the languages listed in Annex A of this Agreement;

(ii) amend the schedule of fees and other charges contained in Annex C of this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified by the Authority, provided that for any increase of fees or other charges contained in Annex C that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 12Termination of the Agreement

(1) This Agreement shall terminate before December 31, 1997:

(i) if the Authority gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

(ii) if the Director General of the World Intellectual Property Organization gives the Authority written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

IN WITNESS WHEREOF the parties hereto have executed this Agreement.

DONE at Geneva, this 26th day of September 1987, in two originals in the English language.

For the Authority by:
(signed) Sten Niklasson
Director General
Royal Patent and Registration
Office

For the World Intellectual Property
Organization by:
(signed) A. Bogsch
Director General

ANNEX A

STATES AND LANGUAGES

Under Article 3 of the Agreement, the Authority

(i) shall act for the following States:

(a) Denmark,
Finland,
Iceland,
Norway,
Sweden;

(b) the States regarded as developing countries in conformity with the established practice of the General Assembly of the United Nations, provided that Sweden, in accordance with its obligations undertaken within the framework of the European Patent Organisation, has concluded with those States an Agreement for that purpose;

(ii) specifies the following languages:

(a) for international applications filed with the receiving Office of, or acting for, any State referred to in (i)(a), above:

Danish,
English,
Finnish,
Norwegian,
Swedish;

(b) for international applications filed with the receiving Office of, or acting for, any State referred to in (i)(b), above:

Danish,
English,
Finnish,
French,
Norwegian,
Swedish.

ANNEX B

SUBJECT MATTER NOT EXCLUDED
FROM SEARCH OR EXAMINATION

The subject matter set forth in Rule 39.1 or Rule 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

None.

ANNEX C

FEES AND CHARGES FOR INTERNATIONAL SEARCH
AND PRELIMINARY EXAMINATIONPart I: Schedule of Fees and Charges

<u>Kind of fee or charge</u>	<u>Amount</u> Swedish Kroner (SEK)
Search fee (Rule 16.1(a)):	
(i) if an earlier search was made by the Authority, the Danish Patent Office, the National Board of Patents and Registration of Finland or the Norwegian Patent Office	1,600
(ii) in all other cases	2,200
Additional fee (Rule 40.2(a))	2,200
Translation of international application (Rule 48.3) .	1.10 per word
Preliminary examination fee (Rule 58.1(b))	1,500
Additional fee (Rule 68.3(a))	1,500
Cost of copies (Rules 44.3(b), 71.2(b) and 94.1)	4.00 per page
Preparing and mailing copies of all documents cited in the international search report (Rule 44.3(b)) (if requested when the international application is filed)	175 per set
Preparing and mailing copies of all documents cited in the international preliminary examination report (Rule 71.2(b)) (if requested when the demand is filed)	175 per set

Annex C, page 2

Part II: Conditions and Extent of Refunds of the Search Fee and of the Preliminary Examination Fee

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the international application is withdrawn or is considered withdrawn, under Article 14(1), (3) or (4), before the start of the international search, the amount of the search fee paid shall be fully refunded.

(3) Where the Authority benefits from an earlier international or international-type search, 25%, 50%, 75% or 90% of the search fee paid according to Part I shall be refunded, depending upon the extent to which the Authority benefits from that earlier search.

(4) In the cases provided for under Rule 58.3, the following amounts of the preliminary examination fee paid shall be refunded:

(a) refund of the full amount paid where Rule 54.4(a), Rule 57.4(c) or Rule 58.2(c) applies;

(b) refund of the amount paid less the amount of the current transmittal fee where Rule 60.1(c) applies.

(5) If the international application or the demand is withdrawn before the start of the international preliminary examination, the amount of the preliminary examination fee paid shall be fully refunded.

Agreement between
the UNITED STATES PATENT AND TRADEMARK OFFICE and the WORLD INTELLECTUAL
PROPERTY ORGANIZATION in relation to the functioning of the
UNITED STATES PATENT AND TRADEMARK OFFICE as an
International Searching and International Preliminary
Examining Authority under the Patent Cooperation Treaty

Preamble

The United States Patent and Trademark Office and the World Intellectual
Property Organization,

considering that the Agreement of April 11, 1978, as amended on May 20,
1987, between the United States Patent and Trademark Office and the
International Bureau under Articles 16(3)(b) and 32(3) of the Patent
Cooperation Treaty was concluded for a period of ten years,

desirous to continue the appointment of the United States Patent and
Trademark Office as an International Searching and International Preliminary
Examining Authority under the Patent Cooperation Treaty,

hereby agree as follows:

Article 1

Terms and Expressions Used in the Agreement

(1) For the purposes of this Agreement:

- (a) "Treaty" means the Patent Cooperation Treaty;
- (b) "Regulations" means the Regulations under the Treaty;
- (c) "Administrative Instructions" means the Administrative
Instructions under the Treaty;
- (d) "Article" (except where a specific reference is made to an
Article of this Agreement) means an Article of the Treaty;
- (e) "Rule" means a Rule of the Regulations;
- (f) "Contracting State" means a State party to the Treaty;
- (g) "Authority" means the United States Patent and Trademark Office.

(2) All other terms and expressions used in this Agreement which are
also used in the Treaty, the Regulations or the Administrative Instructions
have, for the purposes of this Agreement, the same meaning as in the Treaty,
the Regulations and the Administrative Instructions.

Article 2

Basic Obligations

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching and International Preliminary Examining Authority as are provided under the Treaty, the Regulations, the Administrative Instructions and this Agreement. In carrying out international search and international preliminary examination, the Authority shall be guided by the Guidelines for International Search and for International Preliminary Examination to be Carried Out under the Patent Cooperation Treaty.

(2) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent considered to be appropriate by both the Authority and the International Bureau, mutual assistance in the performance of their functions thereunder.

Article 3

Competence of Authority

(1) The Authority shall act as an International Searching Authority for all international applications filed with the receiving Office of, or acting for, any Contracting State indicated in Annex A of this Agreement, provided that the receiving Office specifies the Authority for that purpose and that such applications are in one of the languages specified in Annex A of this Agreement.

(2) The Authority shall act as an International Preliminary Examining Authority for all international applications filed with the receiving Office of, or acting for, any Contracting State indicated in Annex A of this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such applications are in one of the languages specified in Annex A of this Agreement, and that any other requirements regarding such applications as specified in Annex A of this Agreement have been met.

Article 4

Subject Matter Not Required to be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or shall not be obliged to examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that the international application relates to subject matter set forth in Rule 39.1 or Rule 67.1, as the case may be, with the exception of the subject matter specified in Annex B of this Agreement.

Article 5

Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its function as an International Searching and International Preliminary Examining Authority, is set out in Annex C of this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C of this Agreement, reduce the search fee where an international search report can be wholly or partly based on the results of an earlier search made by the Authority (Rules 16.3 and 41.1), or refund the search fee where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall refund the whole or part of the preliminary examination fee paid under the conditions and to the extent set out in Annex C of this Agreement.

Article 6

Classification

The Authority shall indicate the International Patent Classification for the purposes of Rules 43.3(a) and 70.5(b) and may also apply the United States Patent Classification.

Article 7

Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, the Authority shall use the English language.

Article 8

International-Type Search

The Authority shall carry out international-type searches to the extent decided by it.

Article 9

Entry Into Force of the Agreement

(1) This Agreement shall enter into force on January 1, 1988.

(2) This Agreement supersedes, as from the date of its entry into force, the Agreement which was concluded on April 11, 1978.

Article 10

Duration and Renewability of the Agreement

This Agreement shall remain in force until December 31, 1997. Latest in January 1997, the parties to this Agreement shall start negotiations for its renewal.

Article 11

Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes of this Agreement by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(3) The Authority may, by notice in writing given to the Director General of the World Intellectual Property Organization:

(i) add to the States and languages listed in Annex A of this Agreement;

(ii) amend the schedule of fees and other charges contained in Annex C of this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified by the Authority, provided that for any increase of fees or other charges contained in Annex C that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 12

Termination of the Agreement

(1) This Agreement shall terminate before December 31, 1997:

(i) if the Authority gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

(ii) if the Director General of the World Intellectual Property Organization gives the Authority written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

IN WITNESS WHEREOF the parties hereto have executed this Agreement.

DONE at Geneva, this 26th day of September 1987, in two originals in the English language.

For the Authority by:
(signed) Donald Quigg
Commissioner, United States
Patent and Trademark Office

For the World Intellectual Property
Organization by:
(signed) A. Bogsch
Director General

ANNEX A

STATES AND LANGUAGES

- (1) Under Article 3(1) of the Agreement, the Authority
 - (i) shall act for the following States:
United States of America, Brazil, Barbados
 - (ii) specifies the following languages:
English.
- (2) Under Article 3(2) of the Agreement, the Authority
 - (i) shall act for the following States:
United States of America and,
where the Authority has prepared the international search
report, Brazil and Barbados
 - (ii) specifies the following languages:
English.

ANNEX B

SUBJECT MATTER NOT EXCLUDED FROM SEARCH OR EXAMINATION

The subject matter set forth in Rule 39.1 or Rule 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

Subject matter which is searched or examined in United States national applications.

ANNEX C

FEES AND CHARGES FOR INTERNATIONAL SEARCH
AND PRELIMINARY EXAMINATIONPart I: Schedule of Fees and Charges

<u>Kind of fee or charge</u>	<u>Amount</u> US Dollar
Search fee (Rule 16.1(a))	
(i) where no corresponding prior United States national application with basic filing fee has been filed	\$520.00
(ii) where a corresponding prior United States national application with basic filing fee has been filed	\$350.00
Supplemental search fee (Rule 40.2(a)) per additional invention	\$140.00
Preparation of an international-type search report in a United States national application	\$ 28.00
Preliminary examination fee (Rule 58.1(b))	
(i) where an international search fee has been paid on the international application for the benefit of the United States Patent and Trademark Office as an International Searching Authority	\$370.00
(ii) where the International Searching Authority for the international application was an authority other than the United States Patent and Trademark Office	\$570.00
Additional preliminary examination fee (Rule 68.3(a))	
(i) where a supplemental search fee has been paid on the international application to the United States Patent and Trademark Office as an International Searching Authority per additional invention	\$125.00
(ii) where the International Searching Authority for the international application was an authority other than the United States Patent and Trademark Office per additional invention	\$190.00
Cost of copies (Rule 94.1) per page	\$ 0.50

Annex C, page 2

Part II: Conditions and Extent of Refunds of the Search Fee and of the Preliminary Examination Fee

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the international application is withdrawn or is considered withdrawn under Article 14 (1), (3) or (4) before the start of the international search, the amount of the search fee paid shall be fully refunded.

(3) Where the demand is considered as if it had not been submitted (Rules 54.4(a), 57.4(c), 58.2(c) and 60.1(c)), the amount of the preliminary examination fee paid shall be fully refunded.

(4) Where the demand or the international application is withdrawn by the applicant before the start of the preliminary examination, the amount of the preliminary examination fee paid, less a processing fee equivalent to the transmittal fee under Rule 14.1(b), shall be refunded.

Agreement between the EUROPEAN PATENT ORGANISATION and the
WORLD INTELLECTUAL PROPERTY ORGANIZATION in relation to the
functioning of the EUROPEAN PATENT OFFICE as an International
Searching and International Preliminary Examining Authority
under the Patent Cooperation Treaty

Preamble

The European Patent Organisation and the World Intellectual Property Organization,

considering that the Agreement of April 11, 1978, between the International Bureau and the European Patent Organisation under Articles 16(3)(b) and 32(3) of the Patent Cooperation Treaty as well as Articles 154 and 155 of the European Patent Convention was concluded for a period of ten years,

desirous to continue the appointment of the European Patent Office as an International Searching and International Preliminary Examining Authority under the Patent Cooperation Treaty,

hereby agree as follows:

Article 1

Terms and Expressions Used in the Agreement

(1) For the purposes of this Agreement:

- (a) "Treaty" means the Patent Cooperation Treaty;
- (b) "Regulations" means the Regulations under the Treaty;
- (c) "Administrative Instructions" means the Administrative Instructions under the Treaty;
- (d) "Article" (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
- (e) "Rule" means a Rule of the Regulations;
- (f) "Contracting State" means a State party to the Treaty;
- (g) "Authority" means the European Patent Office;
- (h) "Convention" means the Convention on the Grant of European Patents (European Patent Convention).

(2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2

Basic Obligations

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching and International Preliminary Examining Authority as are provided under the Treaty, the Regulations, the Administrative Instructions and this Agreement. In carrying out international search and international preliminary examination, the Authority shall be guided by the Guidelines for International Search and for International Preliminary Examination to be Carried Out under the Patent Cooperation Treaty. The Authority shall apply and observe all the common rules of international search and of international preliminary examination.

(2) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent possible, mutual assistance in the performance of their functions thereunder.

Article 3

Competence of Authority

(1) The Authority shall act as an International Searching Authority for all international applications filed with the receiving Office of, or acting for, any Contracting State, provided that the receiving Office specifies the Authority for that purpose and that such applications are in one of the languages specified in Annex A of this Agreement.

(2) The Authority shall act as an International Preliminary Examining Authority for all international applications filed with the receiving Office of, or acting for, any Contracting State, provided that the receiving Office specifies the Authority for that purpose and that, for such applications, the international search is or has been performed by the Authority or the industrial property office of a State party to the Convention.

(3)(a) Notwithstanding paragraphs (1) and (2), if the workload of the Authority reaches such a level that, because of its then existing facilities, it cannot perform the tasks assumed by it under this Agreement without risks for its proper functioning under the Convention, the Authority may:

(i) entrust any industrial property office of a State party to the Convention with work in respect of international search or international preliminary examination to be carried out under the responsibility of the Authority;

(ii) notify the International Bureau that it will limit the acceptance of international applications, either for international search or for international preliminary examination, to a given number each year of international applications filed with specific receiving Offices. Any such limitation shall take effect, where a date has been agreed upon with the receiving Office, on that date; otherwise, it shall take effect nine months from the date on which the Authority notified the International Bureau of the limitation.

(b) The initial duration of any limitation under subparagraph (a)(ii) shall not exceed a period of two years. The limitation may be extended one or more times for a period of not more than two years each, provided that notice of four months is given prior to the expiration of the preceding period.

(c) Before applying or modifying any measure under subparagraph (a)(ii), including any extension under subparagraph (b), the Authority shall enter into consultations with the International Bureau with the view to finding solutions other than a limitation under subparagraph (a)(ii).

Article 4

Subject Matter Not Required to be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or shall not be obliged to examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that the international application relates to subject matter set forth in Rule 39.1 or Rule 67.1, as the case may be, with the exception of the subject matter specified in Annex B of this Agreement.

Article 5

Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its function as an International Searching and International Preliminary Examining Authority, is set out in Annex C of this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C of this Agreement, refund the whole or part of the search fee paid where an international search report can be wholly or partly based on the results of an earlier search made by the Authority (Rules 16.3 and 41.1) or where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall, under the conditions and to the extent set out in Annex C of this Agreement, refund the whole or part of the preliminary examination fee paid where the demand is considered as if it had not been submitted (Rule 58.3) or where the demand or the international application is withdrawn by the applicant before the start of the international preliminary examination.

Article 6

Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate solely the International Patent Classification.

Article 7Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, other than with the International Bureau, the Authority shall use the English, French or German language, depending on the language of the international application or its translation.

Article 8International-Type Search

The Authority shall carry out international-type searches to the extent decided by it.

Article 9Entry Into Force of the Agreement

(1) This Agreement shall enter into force on January 1, 1988.

(2) This Agreement supersedes, as from the date of its entry into force, the Agreement which was concluded on April 11, 1978.

Article 10Duration and Renewability of the Agreement

This Agreement shall remain in force until December 31, 1997. Latest in January 1997, the parties to this Agreement shall start negotiations for its renewal.

Article 11Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes of this Agreement by agreement between the Director General of the World Intellectual Property Organization and the President of the European Patent Office; they shall take effect on the date agreed upon by them.

(3) The President of the European Patent Office may, by notice in writing given to the Director General of the World Intellectual Property Organization:

(i) add to the languages listed in Annex A of this Agreement;

(ii) amend the schedule of fees and other charges contained in Annex C of this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified by the President of the European Patent Office, provided that for any increase of fees or other charges contained in Annex C that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 12

Termination of the Agreement

(1) This Agreement shall terminate before December 31, 1997:

(i) if the European Patent Organisation gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

(ii) if the Director General of the World Intellectual Property Organization gives the European Patent Organisation written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

IN WITNESS WHEREOF the parties hereto have executed this Agreement.

DONE at Munich, this seventh day of October 1987, in two originals in the English, French and German languages.

For the European Patent Organisation by:

(signed) Paul Braendli
President
European Patent Office

For the World Intellectual Property Organization by:

(signed) A. Bogsch
Director General

ANNEX A

LANGUAGES

Under Article 3 of the Agreement, the Authority specifies the following languages: English, French, German and, where the receiving Office is the industrial property office of Belgium or the Netherlands, Dutch.

ANNEX B

SUBJECT MATTER NOT EXCLUDED
FROM SEARCH OR EXAMINATION

The subject matter set forth in Rule 39.1 or Rule 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

None.

ANNEX C

FEES AND CHARGES FOR INTERNATIONAL SEARCH
AND PRELIMINARY EXAMINATIONPart I: Schedule of Fees and Charges

<u>Kind of fee or charge</u>	<u>Amount</u> Deutsche Mark
Search fee (Rule 16.1(a))	2,095*
Additional fee (Rule 40.2(a))	2,095*
Preliminary examination fee (Rule 58.1(b))	2,120*
Additional fee (Rule 68.3(a))	2,120*
Cost of copies (Rule 94.1)	1.30 per page

* For nationals of developing countries, this fee shall be reduced by three-quarters under the conditions specified in the Decision of the Administrative Council of 9 December 1983 as amended on 8 June 1984 (see Official Journal of the EPO 1984, pp. 3 and 297, and PCT Gazette No. 25/1984, p. 3097).

Annex C, page 2

Part II: Conditions and Extent of Refunds of the Search Fee and of the Preliminary Examination Fee

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the international application is withdrawn or is considered withdrawn, under Article 14(1), (3) or (4), before the start of the international search, the amount of the search fee paid shall, upon request, be fully refunded.

(3) Where the international search report is based on an earlier search (including a privately commissioned "standard" search) already made by the Authority on an application whose priority is claimed for the international application, the following refund of the search fee shall be made:

(i) no supplementary search performed: refund of 100%;

(ii) supplementary search performed in the documentation relating to one or more subdivisions consulted in the earlier search or extended to one or more subdivisions not yet consulted: refund of 75%;

(iii) supplementary search performed in the documentation relating to one or more subdivisions already consulted and extended to one or more subdivisions not yet consulted: refund of 50%;

(iv) supplementary search performed in the documentation relating to subdivisions concerning a new aspect of the invention claimed (for instance, cases where the international application is based on several earlier applications only one of which was the subject of an earlier search report): refund of 25%.

(4) In the cases provided for under Rule 58.3, 100% of the amount of the preliminary examination fee paid shall be refunded.

(5) The conditions and the extent of the refund of the preliminary examination fee, in the case where the international application or the demand is withdrawn before the start of the international preliminary examination, shall be determined in due course.

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

FEES PAYABLE UNDER THE PCT

Austria

The Austrian Patent Office has notified new amounts of fees in Austrian Schillings (ATS), as specified below. The new amounts are applicable as from January 1, 1988.

Transmittal fee:	700
National filing fee:	700

[Updating of PCT Gazette No. 16/1987, Annex C(AT), page 2800, and Summary (AT), page 2851]

Denmark, Finland, Norway

Pursuant to PCT Rule 16.1(d), new amounts in Danish Krone (DKK), Finnish Markka (FIM) and Norwegian Krone (NOK), as specified below, have been established for the search fee for an international search by the European Patent Office. The new amounts are applicable as from January 1, 1988.

	DKK	FIM	NOK
Search fee (international search by the European Patent Office):	8,200	5,200	8,200

[Updating of PCT Gazette No. 16/1987, Annex D(EP), page 2831]

INTERNATIONAL SEARCHING AUTHORITIES

INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES

The USSR State Committee for Inventions and Discoveries has notified the International Bureau of its decision No. 5(22) of October 17, 1985, concerning the reduction of fees for the international search and the international preliminary examination for international applications filed by applicants from developing countries. The text of the decision is the following:

"1. The amounts of charges for the international search and the international preliminary examination, set out in items 9 to 12 of the "Schedule of Charges for Patent Services Connected with the Conduct of State Examination of Inventions, Industrial Designs and Trademarks Not Subject to the Payment of Fees," established by Decision No. 6(22) of December 16, 1982, of the USSR State Committee for Inventions and Discoveries, may be reduced by 80% for an international application filed by an applicant from a developing country with a receiving Office of a developing country or with a receiving Office acting on behalf of such country, which is received by the USSR State Committee for Inventions and Discoveries for carrying out international search and/or international preliminary examination. Where such application is filed in Russian or where its translation into Russian exists, the amounts set out in the schedule for the international search and the international preliminary examination shall not be charged.

2. The decision to reduce the amounts of charges is taken by the USSR State Committee for Inventions and Discoveries, in accordance with the established procedure, on the basis of a request for the reduced amount submitted by the applicant from a developing country and certified by an industrial property service or other competent body of that country.

The request for the reduced amount must contain a statement that the international application has been filed by a natural or legal person from a developing country, who, correspondingly, resides or has his permanent headquarters in that developing country and that the creation of the invention forming the subject matter of the application is in no way connected with the activities of natural or legal persons of a country which is not a developing country.

3. The Chairman of the USSR State Committee for Inventions and Discoveries shall determine the countries of origin of applicants and the receiving Offices concerned by this decision."

Applicants from the following developing countries for which the USSR State Committee for Inventions and Discoveries is a competent International Searching and/or International Preliminary Examining Authority may, at present, request a fee reduction under the decision appearing above:

Benin, Cameroon, Central African Republic, Chad, Congo, Democratic People's Republic of Korea, Gabon, Mali, Mauritania, Senegal and Togo.

[Updating of PCT Gazette No. 16/1987, Annex D(SU), page 2835, and Annex E(SU), page 2844]