

# PCT

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# NEWSLETTER

JANUARY 1996

No. 01/1996

## EURASIAN PATENT CONVENTION

### Armenia

Armenia deposited its instrument of ratification of the Eurasian Patent Convention on 27 November 1995 and will become bound by that Convention on 27 February 1996. It will therefore be possible to designate Armenia for a Eurasian patent in a PCT application filed on or after 27 February 1996 (for further details on making designations for a Eurasian patent, see *PCT Newsletter* No. 11/1995, cover page).

## EXTENSION OF EUROPEAN PATENTS TO ALBANIA – CORRIGENDUM

On the cover page of *PCT Newsletter* No. 12/1995, an announcement was made, based on information received from the Albanian authorities, that an agreement between the European Patent Organisation and Albania on the extension of the effects of European patent applications and patents to Albania entered into force on 3 November 1995. A Special Issue of the *PCT Gazette* (No. 01 /1996), containing general information on Contracting States, national and regional Offices and International Authorities, which was sent to subscribers to that publication, also makes reference to the possibility of extending European patents to Albania in Annexes B1 (AL), and B2 (EP), and National Phase, Summary (AL) and (EP).

We have now been informed that, although that agreement was signed on 3 November 1995, its date of entry into force has not yet been established. ***It is therefore not yet possible to***

***request the extension of a European patent to Albania.*** The date of entry into force will be announced in the *PCT Newsletter* when it is known.

## STARTING OF OPERATIONS AT THE EURASIAN PATENT OFFICE

On 1 January 1996, the Eurasian Patent Office (EAPO) commenced operations. It is therefore now possible to file Eurasian patent applications direct with the EAPO, and nationals and residents of States which are members of both the Eurasian Patent Convention and of the PCT may now file PCT applications with the EAPO as receiving Office. For details on

*[continued on page 2]*

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<i>Tear-out sheets:</i> provisional sheets for the PCT <i>Applicant's Guide</i> , Vol I, Annexes B1 (AZ), B2 (EA) and C (AZ) and (EA), and Vol. II/A, National Chapter, Summary (AZ) and (EA)	
<i>Insert: PCT Newsletter annual index (1995)</i>	

[continued from cover page]

making designations for a Eurasian patent in a PCT application, see *PCT Newsletter* No. 11/1995, cover page.

Those PCT Contracting States which are bound by the Eurasian Patent Convention as of 1 January 1996 are: Azerbaijan, Belarus, Kazakstan, Russian Federation, Tajikistan, Turkmenistan. The following PCT Contracting States will become bound by that Convention shortly: Kyrgyzstan (on 13 January 1996), the Republic of Moldova (on 16 February 1996) and Armenia (on 27 February 1996).

The address, telephone and fax numbers of the Eurasian Patent Office are as follows:

M. Cherkassky per. 2/6  
EAPV  
Moscow, Centre  
GSP, 103621  
Russian Federation

Tel: (70-95) 206 63 21  
Fax: (70-95) 921 24 23

International applications may be filed with the EAPO in Russian or English. The EAPO as PCT receiving Office has specified as competent International Searching Authorities: the Russian Patent Office (for international applications filed in Russian or English) and the European Patent Office (EPO) (for international applications filed in English). The same Offices have also been specified as competent international Preliminary Examining Authorities (the EPO may only be chosen as International Preliminary Examining Authority for international applications for which it has carried out the search).

The following fees, payable to the EAPO as receiving Office, have been specified:

Transmittal fee, basic  
fee, supplement per  
sheet over 30, and  
designation fee: See Table I(a)

Fee for priority  
document: Equivalent in  
RUR of USD 10

The time limit for entering the national phase before the EAPO is 21 months (under PCT Article 22) or 31 months (under PCT Article 39(1)) from the priority date.

General information about the Eurasian Patent Organization, information of interest if EA is designated (or elected), information on the EAPO as receiving Office and a summary of requirements for entry into the national phase before the EAPO is set out on pink tear-out provisional sheets for the *PCT Applicant's Guide*, Vol. I, Annexes B2 (EA) and C (EA) and

Vol. II/A, National Chapter, Summary (EA). Those sheets should be replaced by the corresponding 1996 update sheets of the *PCT Applicant's Guide* which subscribers to that publication will receive shortly (see "*PCT Applicant's Guide* update sheets," below).

## PCT INFORMATION UPDATE

### Azerbaijan (general information)

General information about Azerbaijan as a Contracting State, information of interest if Azerbaijan is designated (or elected), information on the Azerbaijan Patent Office as receiving Office and a summary of requirements for entry into the national phase in Azerbaijan is set out on pink tear-out provisional sheets for the *PCT Applicant's Guide*, Vol. I, Annexes B1 (AZ) and C (AZ), Vol. II/A, National Chapter, Summary (AZ). Those sheets should be replaced by the corresponding 1996 update sheets of the *PCT Applicant's Guide* which subscribers to that publication will receive shortly (see "*PCT Applicant's Guide* update sheets," below).

### Eurasian Patent Organization (general information)

See "Starting of operations at the Eurasian Patent Office," above.

### Lesotho (competent International Searching and Preliminary Examining Authorities)

The Registrar General's Office of Lesotho, in its capacity as receiving Office, has specified the Austrian Patent Office, in addition to the European Patent Office, as competent International Searching and Preliminary Examining Authority.

(Updating of *PCT Applicant's Guide*, Vol. I, Annex C (LS))

### *PCT Applicant's Guide* update sheets

Subscribers to the *PCT Applicant's Guide* will soon receive their January 1996 update sheets. The recent increase in the number of PCT Contracting States has resulted in the need to separate Vol. I of the Guide into two separate binders: Vol. I/A and Vol. I/B. Subscribers will receive fully assembled versions of those binders, including all current sheets and sheets updated as of January 1996, together with the remaining update sheets for Vol. II/A, B and C.

Pink provisional sheets obtained from this and previous issues of the *PCT Newsletter* should be removed from Vol. II of the *PCT Applicant's Guide* and replaced with the update sheets.

<b>PCT SEMINAR CALENDAR</b>			
<b>Dates Location</b>	<b>Language of seminar</b>	<b>Nature of seminar WIPO speakers (and others where known)</b>	<b>Organizer and contact numbers</b>
<b>26–27 February 1996 Washington, D.C. (US)</b>	English	Basic PCT seminar for patent attorneys WIPO speakers: Mr. Thomas and Ms. Boutillon	American Intellectual Property Law Association (AIPLA) (Ms. Martha Morales) Tel: (1-703) 415 07 80 Fax: (1-703) 415 07 86
<b>28 (p.m.)–29 February 1996 Cleveland, Ohio (US)</b>	English	PCT seminar for patent attorneys WIPO speakers: Mr. Thomas and Ms. Boutillon	Cleveland Intellectual Property Law Association and Jones, Day, Reavis & Pogue Tel: (1-216) 5867329 Fax: (1-216) 5790212
<b>29 February– 1 March 1996 Chicago (US)</b>	English	Basic PCT seminar for patent administrators and legal assistants WIPO speakers: Mrs. Coeckelbergs and Mr. Matthes	John Marshall Law School (Mr. Gary T. Watson) Tel: (1-312) 987 14 20 Fax: (1-312) 427 71 28
<b>4–5 March 1996 San Francisco (US)</b>	English	Basic PCT seminar for patent administrators and legal assistants WIPO speakers: Mrs. Coeckelbergs and Mr. Matthes	Intellectual Property International (Ms. Virginia H. Meyer) Tel: (1-415) 289 74 71 Fax: (1-415) 331 60 68
<b>4 April 1996 Ecully (FR)</b>	French	PCT seminar for patent attorneys WIPO speaker: Ms. Boutillon	Centre Paul Roubier (Mrs. Audi) Tel: (33-78) 33 07 08 Fax: (33-78) 33 58 96
<b>16–17 April 1996 Munich (DE)</b>	German	Basic PCT seminar for patent administrators WIPO speakers: Mr. Wolff and Mrs. Coeckelbergs	Forum Institut für Management GmbH Tel: (49-6221) 47 95 12 Fax: (49-6221) 41 16 27
<b>17–18 April 1996 Boston (US)</b>	English	Advanced PCT seminar for patent attorneys and patent administrators WIPO speakers: Ms. Boutillon and Mr. Maassel	Boston Patent Law Association (Mr. Peter Corles) Tel: (1-617) 523 34 00 Fax: (1-617) 523 73 18
<b>18-19 April 1996 Munich (DE)</b>	German	Basic PCT seminar for patent attorneys WIPO speakers: Mr. Wolff and Mr. Matthes	Forum Institut für Management GmbH Tel: (49-6221) 47 95 12 Fax: (49-6221) 41 16 27
<b>19-20 April 1996 Concord, New Hampshire (US)</b>	English	Basic PCT seminar for patent attorneys and patent administrators WIPO speakers: Ms. Boutillon and Mr. Maassel	Franklin Pierce Law Center (Mr. Karl Jorda) Tel: (1-603) 228 15 41 (extension 109) Fax: (1-603) 224 33 42
<b>22-24 April 1996 Naples, Florida (US)</b>	English	PCT seminar for patent attorneys "Basic Patent Cooperation Treaty Practice" WIPO speakers: Mr. Bartels, Ms. Boutillon and Mr. Maassel	Patent Resources Group, Inc. Tel: (1 -804) 296 39 00 Fax: (1-804) 296 39 99
<b>25-27 April 1996 Naples, Florida (US)</b>	English	PCT seminar for patent attorneys "Advanced Patent Cooperation Treaty Practice" WIPO speakers: Mr. Bartels, Ms. Boutillon and Mr. Maassel	Patent Resources Group, Inc. Tel: (1-804) 296 39 00 Fax: (1-804) 296 39 99
<b>11-12 June 1996 Paris (FR)</b>	French	Basic PCT seminar for patent attorneys WIPO speaker: Ms. Boutillon	EUROFORUM (Mrs. Françoise Parolari) Tel: (33-44) 88 14 88 Fax: (33-44) 88 14 99

## EXTENSION OF PCT APPLICATIONS TO SUCCESSOR STATES OF THE FORMER SOVIET UNION

It was announced in *PCT Newsletter* No.10/1995 that the first batch of notifications (Form PCT/IB/362) regarding extensions of the effects of international applications, under PCT Rule 32, to Armenia, Kyrgyzstan, Republic of Moldova, Tajikistan and Turkmenistan would be sent before the end of 1995. The text of the draft notifications has now been modified to take into account the 75% reduction of the fee payable for such extensions which will be available to certain applicants under the amended Schedule of Fees annexed to the PCT Regulations as from 1 January 1996. The mailing of those notifications is now expected to take place in February 1996.

## NON-WORKING DAYS AT THE INTERNATIONAL BUREAU IN 1996

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 1996, the following:

All Saturdays and Sundays, and  
 1 January  
 2 January  
 5 April  
 8 April  
 16 May  
 27 May  
 5 September  
 25 December  
 26 December

## PRACTICAL ADVICE

### **Confirmation of a precautionary designation for a regional patent**

*Q: On 3 January 1996, I filed an international application designating each of Belarus and the Russian Federation for a national patent. I used the July 1995 version of the request form and did not realize that, since 1 January 1996, it has also been possible to designate those States for a Eurasian patent. Is it possible for me now to designate those States also for a Eurasian patent? (I am not very familiar with the new system under the Eurasian Patent Convention)*

**A:** Provided that the request form (PCT/RO/101) or computer-generated request which you used contains the necessary statement regarding precautionary designations under PCT Rule 4.9(b) (the statement is preprinted at the bottom of Box No. V of Form PCT/RO/101), you may file a notice of confir-

mation of the precautionary designation for a Eurasian patent of all States available for that kind of protection on the filing date of your international application. You must file the notice of confirmation with, and pay the designation fee and confirmation fee to, your receiving Office within 15 months from the priority date, or if there is no priority claim, within 15 months from the international filing date. Note that, when confirming the precautionary designation of a regional patent, you only need to pay one designation fee and one confirmation fee, even if two or more States are involved.

Since a Eurasian patent is always granted for all Contracting States of the Eurasian Patent Convention (EAPC), if you confirm the designation for a Eurasian patent you will automatically cover all those PCT Contracting States which were bound by the Eurasian Patent Convention on the filing date of your application, that is: Azerbaijan, Belarus, Kazakstan, Russian Federation, Tajikistan and Turkmenistan. Even though Armenia, Kyrgyzstan and the Republic of Moldova will become bound by the EAPC before the expiration of the 15-month time limit, the confirmed Eurasian patent designation will not include those States since they were not bound by the Eurasian Patent Convention at the time of filing your application.

For further details on the confirmation of precautionary designations, see *PCT Newsletter* No. 03/1994, page 2. For further details on the designation of States party to the Eurasian Patent Convention, see *PCT Newsletter* No. 11/1995, cover page.

## EPO BOARD OF APPEAL DECISION CONCERNING PCT

### **Obligation to specify reasons why unity of invention requirement has not been fulfilled in view of PCT Search Guidelines**

As indicated in the following headnotes, an EPO Technical Board of Appeal has decided that:

"I. An invitation to pay additional search fees fulfils the requirements of Rule 40.1 PCT only if substantiated in such a way as to indicate why unity is lacking, on the basis of the criteria laid down in the PCT Search Guidelines.

II. This is particularly the case where the unity of alternatives "of a similar nature" in a Markush claim is contested on the basis that they do not share a significant structural element [...]."

(Decision W 3/94 - 3.3.1; *Official Journal of the EPO* (OJ/EPO), No. 11/1995, page 775)

## PCT FEE TABLES

The following Tables show the amounts (including currencies – see the key to currency abbreviations on page 7) of the main PCT fees which are payable to the receiving Offices (ROs) and the International Preliminary Examining Authorities (IPEAs) during the international phase under Chapter I (Table I(a) and Table I(b)) and under Chapter II (Table II). Fees which are payable only in special circumstances are not shown; nor are details of certain reductions and refunds which may be available; such information can be found in the *PCT Applicant's Guide*, Vol. I, Annexes C, D and E. Note that all amounts are subject to changes due to fee increases or fluctuations in exchange rates. *A 75% reduction in the basic fee, the supplement per sheet over 30, the designation fee and the handling fee is available to applicants from certain States; see footnote 2 for details.* The footnotes are on page 7.

Table I(a) – TRANSMITTAL, BASIC AND DESIGNATION FEES

(as at 1 January 1996, unless otherwise indicated)

RO	Transmittal fee <sup>1</sup>	Basic fee <sup>1,2</sup> (CHF 762)	Supplement per sheet over 30 <sup>1,2</sup> (CHF 15)	Designation fee <sup>1,2,3</sup> (CHF 185)	Competent ISA(s) <sup>4</sup>
AL	ALL 9,000	CHF 762	15	185	EP
AM	AMD <sup>5</sup> –	USD 677	13	164	EP RU
AP	USD 70	USD 677	13	164	AT EP SE
AT	ATS 700	ATS 6,730	133	1,630	EP
AU	AUD 100	AUD 906	18	220	AU
AZ	AZM <sup>5</sup> –	USD 677	13	164	EP RU
BE	BEF 1,500	BEF 19,700	388	4,780	EP
BG	BGL 600	BGL equiv of CHF 762	equiv of CHF 15	equiv of CHF 185	EP RU
BR	BRR 21,670	BRR equiv of CHF 762	equiv of CHF 15	equiv of CHF 185	AT EP SE US
BY	RUR <sup>5</sup> –	USD 677	13	164	EP RU
CA	CAD 200	CAD 914	18	222	EP
CH	CHF 100	CHF 762	15	185	EP
CN	CNY 500	CNY equiv of CHF 762	equiv of CHF 15	equiv of CHF 185	CN
CZ	CZK 1,500	CZK equiv of CHF 762	equiv of CHF 15	equiv of CHF 185	EP
DE	DEM 150	DEM 955	19	232	EP
DK	DKK 1,500	DKK 3,740	74	910	EP SE
EA	RUR equiv of USD 100	USD 677	13	164	EP RU
EE	EEK 1,500	EEK equiv of CHF 762	equiv of CHF 15	equiv of CHF 185	EP
EP <sup>6</sup>	DEM 200	DEM 955	19	232	EP
ES	ESP 8,475	ESP 83,500	1,640	20,300	EP ES
FI	FIM 700	FIM 2,900	55	700	EP SE
FR	FRF 400	FRF 3,300	65	800	EP
GB	GBP 55	GBP 430	8	104	EP
GE	USD <sup>5</sup> –	USD 677	13	164	EP RU
GR	GRD 34,000	GRD 162,000	3,190	39,400	EP
HU	HUF 4,000	HUF equiv of CHF 762	equiv of CHF 15	equiv of CHF 185	EP RU
IB	CHF 300	CHF 762	15	185	See footnote 7
	or USD 200	or USD 677	13	164	
IE	IEP 60	IEP 425	8	103	EP
IS	ISK 5,000	ISK 43,100	848	10,500	EP SE
IT	ITL 60,000	ITL 1,090,000	21,500	265,000	EP
JP	JPY 18,000	JPY 67,400	1,300	16,400	EP JP
KE	USD (or KES equiv) 30	USD 677	13	164	AT AU CN EP SE
KG	KGS equiv of USD 60	USD 677	13	164	EP RU
KP	KPW 50	KPW equiv of CHF 762	equiv of CHF 15	equiv of CHF 185	AT RU
KR	KRW 40,000	KRW 544,000	10,700	132,000	AT AU JP
KZ	KZT <sup>5</sup> –	USD 677	13	164	EP RU
LR	USD 45	USD 677	13	164	AT AU CN EP SE
LS	LSM <sup>5</sup> –	LSM equiv of CHF 762	equiv of CHF 15	equiv of CHF 185	AT EP
LT	LTL equiv of USD 80	USD 677	13	164	EP RU
LU	LUF/BEF 1,000	LUF/BEF 19,700	388	4,780	EP

[continued on page 6]

**Table I(a) – TRANSMITTAL, BASIC AND DESIGNATION FEES [continued]**  
(as at 1 January 1996, unless otherwise indicated)

RO	Transmittal fee <sup>1</sup>		Basic fee <sup>1,2</sup> (CHF 762)		Supplement per sheet over 30 <sup>1,2</sup> (CHF 15)	Designation fee <sup>1,2,3</sup> (CHF 185)	Competent ISA(s) <sup>4</sup>
LV	LVL	40	USD	677	13	164	EP RU
MC	FRF	300	FRF	3,300	65	800	EP
MD	MDL <sup>5</sup>	54	USD	677	13	164	EP RU
MK	MKD	2,750	MKD	equiv of CHF 762	equiv of CHF 15	equiv of CHF 185	EP
MN		None	MNT	equiv of CHF 762	equiv of CHF 15	equiv of CHF 185	EP RU
MW	MWK	8	MWK	10,100	199	2,460	EP
MX	MXP	equiv of USD200	MXP	equiv of CHF 762	equiv of CHF 15	equiv of CHF 185	EP ES SE <sup>6</sup> US
NL	NLG	110	NLG	1,070	21	260	EP
NO	NOK	500	NOK	4,250	84	1,030	EP SE
NZ	NZD	155	NZD	1,020	20	248	AU EP
PL	PLZ	200	PLZ	equiv of CHF 762	equiv of CHF 15	equiv of CHF 185	EP
PT	PTE	3,500	PTE	101,000	1,990	24,500	EP
RO	ROL	10,000	CHF	762	15	185	AT EP RU
RU	RUR	294,000	USD	677	13	164	EP RU
SD	SDP	50	SDP	equiv of CHF 762	equiv of CHF 15	equiv of CHF 185	EP
SE	SEK	600	SEK	4,770	94	1,160	EP SE
SG	SGD	120	SGD	971	19	236	AT AU EP
SI	SIT	<i>See footnote 8</i>	SIT	equiv of CHF 762	equiv of CHF 15	equiv of CHF 185	EP
SK	SKK	1,600	SKK	equiv of CHF 762	equiv of CHF 15	equiv of CHF 185	EP
TJ	RUR <sup>5</sup>	—	USD	677	13	164	EP RU
TM	USD <sup>5</sup>	—	USD	677	13	164	EP RU
TR	CHF	100	CHF	762	15	185	EP RU
TT	TTD	750	USD	677	13	164	AT EP SE US
UA	UAK	21,000,000	USD	677	13	164	EP RU
US	USD	220	USD	677	13	164	EP US
UZ	USD <sup>5</sup>	—	USD	677	13	164	EP RU
VN	USD	50	VND	equiv of CHF 762	equiv of CHF 15	equiv of CHF 185	AT AU EP RU SE

**Table I(b) – SEARCH FEES**  
(as at 1 January 1996, unless otherwise indicated)

ISA	Search fee <sup>1</sup>											
AT	ATS	2,200	CHF	250	KRW	177,000	SGD	317	USD	225		
AU	AUD	800	CHF	672	KRW	471,000	NZD	905	SGD	900	USD	592
CN	CNY	800	CHF	110	USD	100						
EP <sup>9</sup>	DEM	2,400	CHF	2,040	FRF	8,730	ISK	108,100	MWK	25,440	PTE	258,800
	ATS	17,140	DKK	9,840	GBP	1,104	ITL	2,963,000	NLG	2,740	SEK	12,700
	BEF	50,300	ESP	225,800	GRD	400,000	JPY	169,000	NOK	10,660	SGD	2,440
	CAD	2,300	FIM	7,500	IEP	1,103	LUF	50,300	NZD	2,557	USD	1,700
ES	ESP	62,100	CHF	565	USD	500						
JP	JPY	77,000	CHF	870	KRW	622,000	USD	775				
RU <sup>9</sup>	RUR	840,000	CHF	225	USD	200						
SE	SEK	2,600 <sup>10</sup>	3,600 <sup>11</sup>	4,200 <sup>12</sup>	FIM	1,540 <sup>10</sup>	2,130 <sup>11</sup>	2,480 <sup>12</sup>	USD	347 <sup>10</sup>	480 <sup>11</sup>	560 <sup>12</sup>
	CHF	410 <sup>10</sup>	570 <sup>11</sup>	660 <sup>12</sup>	ISK	22,000 <sup>10</sup>	31,000 <sup>11</sup>	36,000 <sup>12</sup>				
	DKK	2,000 <sup>10</sup>	2,710 <sup>11</sup>	3,160 <sup>12</sup>	NOK	2,240 <sup>10</sup>	3,100 <sup>11</sup>	3,620 <sup>12</sup>				
US	USD	660	(430 <sup>13</sup> )		CHF	740	(480 <sup>13</sup> )					

**Table II – PRELIMINARY EXAMINATION FEES**

(as at 1 January 1996, unless otherwise indicated)

IPEA	Preliminary examination fee <sup>14</sup>			Handling fee <sup>2,14</sup> (CHF 233)				
AT	ATS	2,200		ATS	2,060			
AU	AUD	450		AUD	277			
CN	CNY	800		CNY equiv of CHF 233				
EP <sup>9</sup>	DEM	3,000	FRF 10,910	NLG	3,430	DEM 292	FRF 1,000	NLG 328
	ATS	21,430	GBP 1,380	PTE	323,500	ATS 2,060	GBP 131	PTE 30,900
	BEF	62,900	IEP 1,379	SEK	15,870	BEF 6,020	IEP 130	SEK 1,460
	CHF	2,550	ITL 3,704,000			CHF 233	ITL 333,000	
	DKK	12,300	LUF 62,900			DKK 1,140	LUF 6,020	
JP	JPY	28,000		JPY	20,600			
RU <sup>9</sup>	RUR	1,260,000	USD 300	USD	207			
SE	SEK	3,200		SEK	1,460			
US	USD	470	(710 <sup>15</sup> )	USD	207			

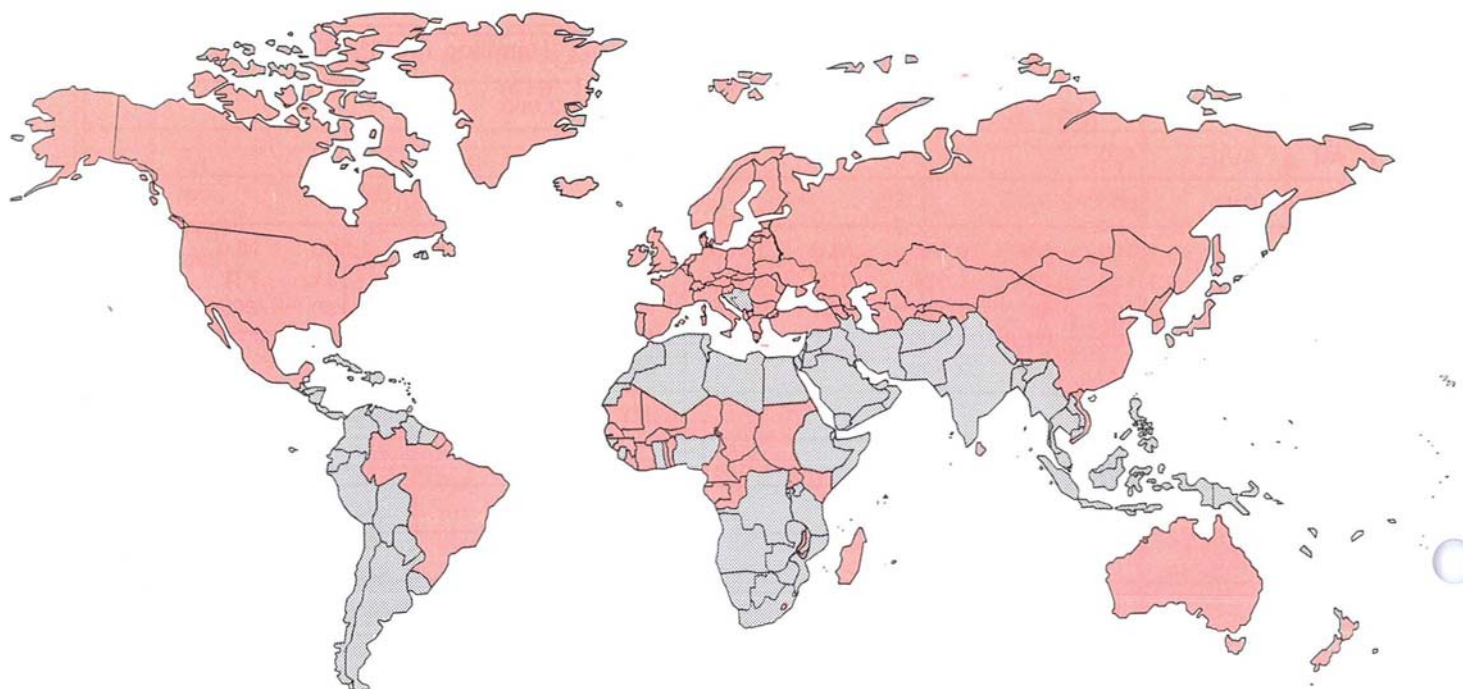
*Key to currency abbreviations for all fee tables:*

ALL Lek	DEM Mark	ITL Italian Lira	MDL Moldovan Leu	RUR Rouble
AMD Dram	DKK Danish Krone	JPY Yen	MKD Denar	SDP Sudanese Pound
ATS Schilling	EK Estonian Kroon	KES Kenyan Shilling	MNT Tugrik	SEK Swedish Krona
AUD Australian Dollar	ESP Peseta	KGS Som	MWK Kwacha	SGD Singapore Dollar
AZM Manat	FIM Markka	KPW Won	MXP Mexican Peso	SIT Tolar
BEF Belgian Franc	FRF French Franc	KRW Won	NLG Guilder	SKK Slovak Koruna
BGL Lev	GBP Pound Sterling	KZT Tenge	NOK Norwegian Krone	TTD Trinidad and Tobago Dollar
BRR Real	GRD Drachma	LSM Maloti	NZD New Zealand Dollar	
CAD Canadian Dollar	HUF Forint	LTL Lita	PLZ Zloty	UAK Karbovanets
CHF Swiss Franc	IEP Irish Pound	LUF Luxembourg Franc	PTE Escudo	USD US Dollar
CNY Yuan Renminbi	ISK Icelandic Kronur	LVL Lat	ROL Romanian Leu	VND Dong
CZK Czech Koruna				

*Footnotes for all fee tables:*

- 1 Payable to the receiving Office in the currency or one of the currencies prescribed by it.
- 2 This fee is reduced by 75% where the applicant or, if there are two or more applicants, each applicant is a natural person and is a national of and resides in Albania, Armenia, Azerbaijan, Belarus, Benin, Brazil, Bulgaria, Burkina Faso, Cameroon, Central African Republic, Chad, China, Congo, Côte d'Ivoire, Czech Republic, Democratic People's Republic of Korea, Estonia, Gabon, Georgia, Guinea, Hungary, Kazakstan, Kenya, Kyrgyzstan, Latvia, Lesotho, Liberia, Lithuania, Madagascar, Malawi, Mali, Mauritania, Mexico, Mongolia, Niger, Poland, Republic of Moldova, Romania, Russian Federation, Senegal, Slovakia, Sri Lanka, Sudan, Swaziland, Tajikistan, The former Yugoslav Republic of Macedonia, Togo, Turkey, Turkmenistan, Uganda, Ukraine, Uzbekistan or Viet Nam. For further details see *PCT Newsletter* No. 10/1995, cover page, and No. 11/1995, page 6.
- 3 The confirmation fee payable under PCT Rules 4.9(c) and 15.5 is 50% of the designation fee.
- 4 For the search fee payable to the receiving Office, consult the entry in Table I(b) for the competent International Searching Authority.
- 5 The amounts are not yet known or, where known, are subject to periodical revision. The Office or the agent should be consulted for the latest applicable schedule of fees.
- 6 Payments can also be made in ATS, BEF, CHF, DKK, ESP, FRF, GBP, GRD, IEP, ITL, LUF, NLG, PTE or SEK. For the amounts in the said currencies, reference should be made to the latest issue of the *Official Journal* of the EPO.
- 7 The competent International Searching Authority(ies) for an international application filed with the International Bureau as receiving Office is (are) the Authority(ies) which would have been competent if the international application had been filed with the receiving Office of, or acting for, the Contracting State of which the applicant (or any of the applicants) is a resident or national.
- 8 5% of the total value of the basic fee, supplement per sheet over 30, designation fee and search fee.
- 9 Nationals of developing countries and (in the case of the EPO) countries in transition ("reform States") may be eligible for fee reductions. For details, including the amount of the fee reduction, the countries concerned and applicable conditions, See *PCT Applicant's Guide*, Vol. I, Annex D (EP) and (RU) and Annex E (EP) and (RU).
- 10 If on an earlier application, the priority of which is claimed, a first office action has been issued by the Swedish Patent Office.
- 11 If on an earlier application, the priority of which is claimed, a first office action has been issued by the Danish Patent Office, the National Board of Patents and Registration (Finland) or the Norwegian Patent Office.
- 12 In all cases where footnotes 10 and 11 do not apply.
- 13 Payable when a corresponding prior US national application has been filed and the basic national fee for that US application has been paid.
- 14 Payable to the International Preliminary Examining Authority in the currency or one of the currencies prescribed by it.
- 15 Payable when the international search report was not established by the United States Patent and Trademark Office.

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AL Albania	CZ Czech Republic	KP Democratic People's Republic of Korea	MR Mauritania (OA) <sup>2</sup>	TG Togo (OA) <sup>2</sup>
AM Armenia (EA) <sup>1</sup>	DE Germany (EP)	KR Republic of Korea	MW Malawi (AP)	TJ Tajikistan (EA)
AT Austria (EP)	DK Denmark (EP)	KZ Kazakhstan (EA)	MX Mexico	TM Turkmenistan (EA)
AU Australia	EE Estonia	LI Liechtenstein (EP)	NE Niger (OA) <sup>2</sup>	TR Turkey
AZ Azerbaijan (EA)	ES Spain (EP) <sup>3</sup>	LK Sri Lanka	NL Netherlands (EP) <sup>2</sup>	TT Trinidad and Tobago
BB Barbados	FI Finland	LR Liberia	NO Norway	UA Ukraine
BE Belgium (EP) <sup>2</sup>	FR France (EP) <sup>2</sup>	LS Lesotho (AP)	NZ New Zealand	UG Uganda (AP)
BF Burkina Faso (OA) <sup>2</sup>	GA Gabon (OA) <sup>2</sup>	LT Lithuania <sup>5</sup>	PL Poland	US United States of America
BG Bulgaria	GB United Kingdom (EP)	LU Luxembourg (EP)	PT Portugal (EP)	UZ Uzbekistan
BJ Benin (OA) <sup>2</sup>	GE Georgia	LV Latvia <sup>5</sup>	RO Romania	VN Viet Nam
BR Brazil	GN Guinea (OA) <sup>2</sup>	MC Monaco (EP) <sup>2</sup>	RU Russian Federation (EA)	
BY Belarus (EA)	GR Greece (EP) <sup>2,3</sup>	MD Republic of Moldova (EA) <sup>6</sup>	SD Sudan (AP)	
CA Canada	HU Hungary	MG Madagascar	SE Sweden (EP)	
CF Central African Republic (OA) <sup>2</sup>	IE Ireland (EP) <sup>2</sup>	MK The former Yugoslav Republic of Macedonia	SG Singapore	
CG Congo (OA) <sup>2</sup>	IS Iceland	ML Mali (OA) <sup>2</sup>	SI Slovenia <sup>5</sup>	
CH Switzerland (EP)	IT Italy (EP) <sup>2</sup>	MN Mongolia	SK Slovakia	
CI Côte d'Ivoire (OA) <sup>2</sup>	JP Japan		SN Senegal (OA) <sup>2</sup>	
CM Cameroon (OA) <sup>2</sup>	KE Kenya (AP)		SZ Swaziland (AP) <sup>2</sup>	
CN China	KG Kyrgyzstan (EA) <sup>4</sup>		TD Chad (OA) <sup>2</sup>	

1 May be designated for a Eurasian patent as from 27 February 1996.

2 The national route has been closed.

3 Not bound by Chapter II.

4 Extension of European patent possible.

5 May be designated for a Eurasian patent as from 13 January 1996.

6 May be designated for a Eurasian patent as from 16 February 1996.

Where a State is a member of a regional patent treaty, the two-letter code for the regional patent concerned is also indicated (AP = ARIPO patent, EA = Eurasian patent, EP = European patent, OA = OAPI patent).

### Important:

This list includes all States that have adhered to the PCT by the date shown in the heading. Any States indicated in **bold italics** have adhered to the PCT but were not yet bound by the PCT on the date of issue of the latest version of the request form. If the applicant wishes to designate any States which are bound by the PCT on the date on which the international application is filed but which are not listed in the request form, he must add them in Box No. V of the request form and mark the corresponding check-box. Where a State has adhered to but is not yet bound by the PCT, the date on which it will become bound is shown in parentheses; it cannot be designated in international applications filed before that date.

Applicants should always use the latest versions of the request and demand forms. The latest versions of the request form (PCT/RO/101) and demand form (PCT/IPEA/401) are dated January 1996. The forms are reproduced in Annexes X and Y, respectively, of the *PCT Applicant's Guide*, Vol. I/B. The request form can also be obtained from receiving Offices or the International Bureau. The demand form can also be obtained from receiving Offices, International Preliminary Examining Authorities or the International Bureau.



**B1****Information on Contracting States****B1****AZ****AZERBAIJAN****AZ****General information**

Name of Office:	Azerbaijan Respublikasy Devlat Elm va Texnika Komitasi Patent-lisenziya idarasi Azerbaijan Patent Office	
Location and mailing address:	S.Vurgün St. 24, 370000 Baku, Azerbaijan	
Telephone:	(99-412) 94 08 77	
Facsimile machine:	(99-412) 94 08 81	
Teleprinter:	-	
Does the Office accept the filing of documents by means of telecommunication (PCT Rule 92.4)?	Yes, by facsimile machine	
Which kinds of documents may be so transmitted?	All kinds of documents	
Must the original of the document be furnished in all cases?	Yes, within 14 days from the date of transmission, if the transmitted document is the international application or a replacement sheet containing corrections or amendments of an international application	
	No, only upon invitation in the case of other documents	
Would the Office accept evidence of mailing a document, in case of loss or delay, where a delivery service other than the postal authorities is used (PCT Rule 82.1)?	Yes, provided that the delivery service is DHL or Federal Express	
Competent receiving Office for nationals and residents of Azerbaijan:	Azerbaijan Patent Office, Eurasian Patent Office or International Bureau of WIPO, at the choice of the applicant (see Annex C)	
Competent designated (or elected) Office if Azerbaijan is designated (or elected):	National patent:	Azerbaijan Patent Office (see Volume II)
	Eurasian patent:	Eurasian Patent Office (see Volume II)
May Azerbaijan be elected?	Yes (bound by Chapter II of the PCT)	
Types of protection available:	National:	Patents
	Eurasian:	Patents
Provisions of the law of Azerbaijan concerning international-type search:	None	
Provisional protection after international publication:	None	

[continued on next page]

**B1**

**Information on Contracting States**

**B1**

**AZ**

**AZERBAIJAN**

**AZ**

[continued]

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**Information of interest if Azerbaijan is designated (or elected)**

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Time when the name and address of the inventor must be given if Azerbaijan is designated:

Must be in the request. If the data concerning the inventor are missing at the expiration of the time limit under PCT Article 22 or 39(1)(a), the Office will invite the applicant to comply with the requirement within a time limit fixed in the invitation.

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Does the Office disregard the priority claim if the priority document was not submitted within 16 months from the priority date under PCT Rule 17.1?

No

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Are there special provisions concerning the deposit of microorganisms?

No

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**B2****Information on Intergovernmental  
Organizations****B2****EA****EURASIAN PATENT ORGANIZATION****EA****General Information**

Name of Office:	Evraziiskoe patentnoe vedomstvo (EAPV) Eurasian Patent Office (EAPO)
Location and mailing address:	M. Cherkassky per. 2/6, EAPV, Moscow, Centre, GSP, 103621, Russian Federation
Telephone:	(70-95) 206 63 21
Facsimile machine:	(70-95) 921 24 23
Teleprinter:	-
Does the EAPO accept the filing of documents by means of telecommunication (PCT Rule 92.4)?	Yes, by facsimile machine
Which kinds of documents may be so transmitted?	All kinds of documents
Must the original of the document be furnished in all cases?	Yes, within 14 days from the date of the transmission, if the transmitted document is an international application or a replacement sheet containing correction or amendments of an international application.  No, only upon invitation in the case of other documents.
Would the EAPO accept evidence of mailing a document, in case of loss or delay, where a delivery service other than the postal authorities is used (PCT Rule 82.1)?	Yes, provided that delivery service is DHL or Federal Express
Competent receiving Office for nationals and residents of the following countries:	Armenia (as from 27 February 1996), Azerbaijan, Belarus, Kazakstan, Kyrgyzstan (as from 13 January 1996), Republic of Moldova (as from 16 February 1996), Russian Federation, Tajikistan, Turkmenistan: Eurasian Patent Office (EAPO) (the applicant may also choose to file with the national Office of the country of which he is a national or resident or with the International Bureau of WIPO) (see Annex C)
Competent designated (or elected) Office for the granting of a Eurasian patent for the following countries:	Armenia (as from 27 February 1996), Azerbaijan, Belarus, Kazakstan, Kyrgyzstan (as from 13 January 1996), Republic of Moldova (as from 16 February 1996), Russian Federation, Tajikistan, Turkmenistan: Eurasian Patent Office (EAPO) (see Volume II)

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**B2** **Information on Intergovernmental Organizations** **B2****EA** **EURASIAN PATENT ORGANIZATION** **EA**

[continued]

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Types of protection available: Eurasian patents

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Provisions of the Eurasian Patent Convention concerning international-type search: None

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Provisional protection after international publication: The protection granted in each State party to both the PCT and the Eurasian Patent Convention is indicated under the heading "Eurasian protection" for such States. See also Article 9(3) of the Eurasian Patent Convention.

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**Information of interest if the EAPO is a designated (or elected) Office**

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Time when the name and address of the inventor must be given if the EAPO is a designated (or elected) Office: Must be in the request. If the data concerning the inventor are missing at the expiry of the time limit under PCT Article 22 or 39(1)(a), the Office will invite the applicant to comply with the requirement within a time limit fixed in the invitation.

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Does the EAPO disregard the priority claim if the priority document was not submitted within 16 months from the priority date under PCT Rule 17.1? No

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Are there special provisions concerning the deposit of microorganisms? Yes (see Annex L)

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

**AZ** **AZERBAIJAN PATENT OFFICE** **AZ**

Competent receiving Office for nationals and residents of:	Azerbaijan
Language in which international applications may be filed:	Russian or English
Number of copies required by the receiving Office:	3
Competent International Searching Authority:	Russian Patent Office or, for international applications filed in English, European Patent Office
Competent International Preliminary Examining Authority:	Russian Patent Office or, for international applications for which the European Patent Office has established the international search report, European Patent Office
Fees payable to the receiving Office:	Currency: Manat (AZM) and US Dollar (USD)
Transmittal fee:	AZM <sup>1</sup> ...
Basic fee: <sup>2</sup>	USD 677
Supplement per sheet over 30: <sup>2</sup>	USD 13
Designation fee: <sup>2</sup>	USD 164
Search fee:	See Annex D (Russian Patent Office or European Patent Office)
Fee for priority document (PCT Rule 17.1(b)):	AZM <sup>1</sup> ...
Is an agent required by the receiving Office?	No, if applicant resides in Azerbaijan Yes, if he is a non-resident
Who can act as agent?	Any patent agent who is authorized to practice before the Office

<sup>1</sup> The amount of this fee is not yet known. The Office or the agent should be consulted for the latest applicable schedule of fees.

<sup>2</sup> This fee is reduced by 75% where the applicant or, if there are two or more applicants, each applicant is a natural person and is a national of and resides in Azerbaijan or any other State mentioned in the corresponding footnote to Annex C(IB). For further details see PCT Gazette No. 50/1995, pages 19233 and 19234.

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

**EA** **EURASIAN PATENT OFFICE (EAPO)** **EA**

Competent receiving Office for nationals and residents of:	Armenia (as from February 27, 1996), Azerbaijan, Belarus, Kazakstan, Kyrgyzstan (as from January 13, 1996), Republic of Moldova (as from February 16, 1996), Russian Federation, Tajikistan, Turkmenistan
Language in which international applications may be filed:	Russian or English
Number of copies required by the receiving Office:	3
Competent International Searching Authority:	Russian Patent Office for international applications filed in Russian or English, or European Patent Office for international applications filed in English
Competent International Preliminary Examining Authority:	Russian Patent Office, or European Patent Office for international applications for which the European Patent Office has established the international search report
Fees payable to the receiving Office:	Currency: Rouble (RUR) and US Dollar (USD)
Transmittal fee:	Equivalent in RUR of USD 100
Basic fee: <sup>1</sup>	USD 677
Supplement per sheet over 30: <sup>1</sup>	USD 13
Designation fee: <sup>1</sup>	USD 164
Search fee:	See Annex D (Russian Patent Office or European Patent Office)
Fee for priority document (PCT Rule 17.1(b)):	Equivalent in RUR of USD 10
Is an agent required by the receiving Office?	No, if applicant has a residence or his principal place of business in one of the States party to the Eurasian Patent Convention Yes, if he has neither a residence nor his principal place of business within the territory of one of those States
Who can act as agent?	Any legal practitioner qualified to practice in patent matters in one of the States party to the Eurasian Patent Convention and inscribed in the register of patent attorneys kept in the Office

<sup>1</sup> This fee is reduced by 75% where the applicant or, if there are two or more applicants, each applicant is a natural person and is a national of and resides in any of the States mentioned in the corresponding footnote to Annex C(II). For further details see PCT Gazette No. 50/1995, pages 19233 and 19234.

**SUMMARY****Designated  
(or elected) Office****SUMMARY****AZ****AZERBAIJAN PATENT OFFICE****AZ****Summary of requirements for entry into the national phase**

Time limits applicable for the entry into the national phase:	Under PCT Article 22: 21 months from the priority date Under PCT Article 39(1): 31 months from the priority date
Translation of international application required into:	Azerbaijani
Required contents of the translation for the entry into the national phase:	Under PCT Article 22: Description, claims (if amended, as amended only together with any statement under PCT Article 19), any text matter of drawings, abstract Under PCT Article 39(1): Description, claims, any text matter of drawings, abstract (if any of those parts amended, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:	Currency: US Dollar (USD) Filing fee: USD 400
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51 <sup>bis</sup> ): <sup>1</sup>	Declaration justifying the applicant's right to a patent if he is not the inventor Appointment of an agent if applicant is not resident in Azerbaijan
Who can act as agent?	Any patent attorney registered to practice before the Office

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

**SUMMARY****Designated  
(or elected) Office****SUMMARY****EA****EURASIAN PATENT OFFICE (EAPO)****EA****Summary of requirements for entry into the national phase**

Time limits applicable for the entry into the national phase:	Under PCT Article 22: 21 months from the priority date Under PCT Article 39(1): 31 months from the priority date
Translation of international application required into: <sup>1</sup>	Russian
Required contents of the translation for the entry into the national phase: <sup>1</sup>	Under PCT Article 22: Description, claims (if amended, as amended only), any text matter of drawings, abstract Under PCT Article 39(1): Description, claims, any text matter of drawings, abstract (if any of those parts amended, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:	Currency: US Dollar (USD) Unitary procedural fee (for filing, search, publication and other processing): <sup>2</sup> USD 800 <sup>3</sup> Claim fee for each claim in excess of ten: <sup>2</sup> USD 50 <sup>3</sup> Examination fee: USD 800 <sup>3</sup> Maintenance fees: <sup>4</sup>
Exemptions, reductions or refunds of the national fee:	The unitary procedural fee is reduced by 25% where an international search report has been established
Special requirements of the Office (PCT Rule 51 <sup>bis</sup> ): <sup>2</sup>	Name and address of the inventor if they have not been furnished in the "Request" part of the international application Appointment of an agent if applicant has neither a residence nor his principal place of business within the territory of one of the States party to the Eurasian Patent Convention
Who can act as agent?	Any legal practitioner qualified to practice in patent matters in one of the States party to the Eurasian Patent Convention and inscribed in the register of patent attorneys kept in the Office

<sup>1</sup> Must be furnished within two months from the expiration of the time limit applicable under PCT Article 22 or 39(1).

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

<sup>3</sup> This fee is reduced by 80% where the applicant or, if there are two or more applicants, each applicant is a national and resident of any of the States mentioned in the footnote relating to the basic and designation fees to Annex C(II) in Volume I/B. The reduction is not applicable to the legal entities whose ownership capital contains direct or indirect investments from persons who are nationals or residents of States other than those mentioned above.

<sup>4</sup> The amounts of the fees for maintenance of a Eurasian patent with respect of each State party to the Eurasian Patent Convention are as fixed by each State. These fees are payable to the Office for each State in which the patent owner wishes the effect of the patent to continue, in each of the years following the grant by the anniversary of the international filing date.



# PCT NEWSLETTER

1995

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