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# NEWSLETTER

FEBRUARY 1996

No. 02/1996

## EUROPEAN PATENT CONVENTION: ACCESSION BY FINLAND

On 29 December 1995, Finland deposited its instrument of accession to the European Patent Convention and will become bound by that Convention on 1 March 1996. Therefore, in any international application filed on or after 1 March 1996, Finland may be designated either for a national patent or a European patent, or both a national and a European patent. Any designation in an international application for a European patent will, as from that date, automatically include the designation of Finland for that purpose, if the printed PCT request form is used, since the statement "and any other State which is a Contracting State of the European Patent Convention and of the PCT" is already printed on that form. If the request is presented as a computer print-out, applicants must make sure that either the statement quoted above, or the two letter code FI or the name of Finland, is included next to the EP designation.

Moreover, as from 1 March 1996, nationals and residents of Finland may file international applications with the European Patent Office as receiving Office, in addition to the National Board of Patents and Registration of Finland and the International Bureau of WIPO.

## EXTENSION OF EUROPEAN PATENTS TO ALBANIA

The agreement between the European Patent Organisation and Albania on the extension of the effects of European patent applications and patents to Albania, which was signed on 3 November 1995 and which

was referred to in *PCT Newsletter* Nos. 12/1995 and 01/1996, entered into force on 1 February 1996.

The requirements necessary for obtaining such an extension, and the procedure for requesting it, are explained in *PCT Newsletter* No. 12/1995, cover page. Note, however, that the extension of a European patent is only possible in respect of international applications **filed on or after 1 February 1996** (and not filed on or after 3 November 1995, as was indicated in the above-mentioned issue of the *Newsletter*).

## PCT STATISTICS – 1 January to 31 December 1995

The steep growth in recent years in the number of international applications filed under the PCT continued during 1995. During that year, the International Bureau of WIPO received the record copies of 38,906 applications filed with PCT receiving Offices, which represented an increase over 1994 of 14.1 %. Fig. 1, on page 2, shows the increase in the number of international applica-

[continued on page 2]

### INSIDE THIS ISSUE

|  |     |
|--|-----|
| PCT statistics – 1 January to 31 December 1995                             |     |
| [continued]. . . . .   | 2   |
| Practical advice. . . . .  | 2-3 |
| PCT information update . . . .   | 3   |
| PCT Schedule of Fees. . . . .  | 3   |
| PCT seminar calendar. . . . .  | 4   |
| PCT fee tables . . . . .   | 5-7 |
| PCT Contracting States and two-letter codes . . . . .                      | 8   |
| Inserts: PCT Schedule of Fees; WIPO Press Release PCT/97 (The PCT in 1995) |     |

[continued from cover page]

tions received each year since 1978, when PCT operations began.

The 38,906 international applications received in 1995 had the effect of 916,273 national applications, and of 68,206 regional applications which were the equivalent of 890,943 applications for patent protection in the member States of the regional patent systems, that is, a total of 1,807,216 national applications.

Table 1 shows the top ten countries of origin of those international applications. (Note that 15.6% of international applications received were filed with either the European Patent Office (EPO) or the International Bureau as a receiving Office; those filings are included in the figures relating to the country of origin of the applicant.)

The number of demands for international preliminary examination also increased in 1995. The total received was 26,894, which represents an increase over 1994 of 16.3%.

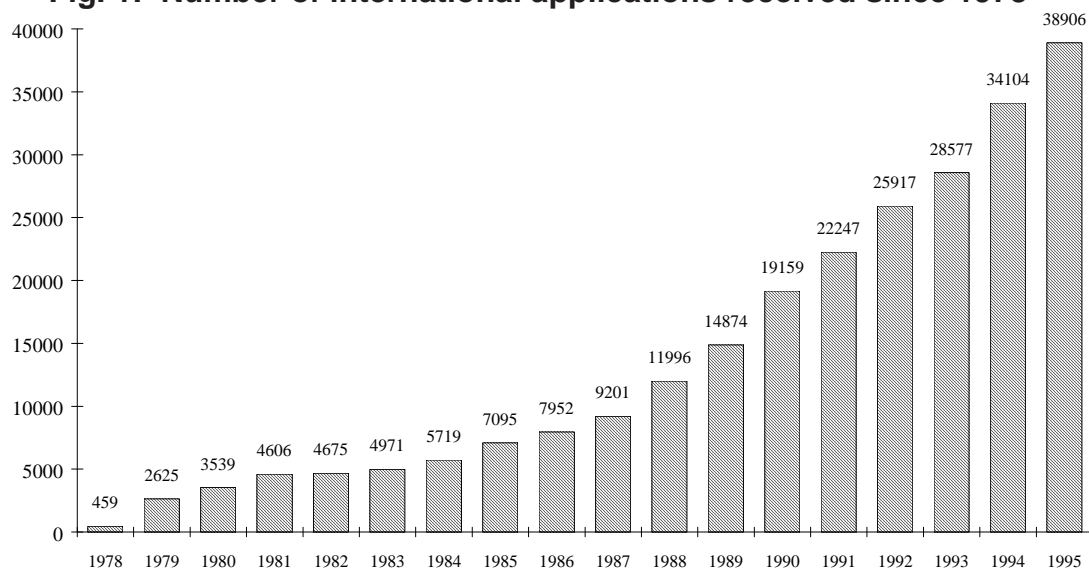
**Table 1: PCT filings by country of origin (1995)**

| Country of origin               | Applications received | % of total   |
|---------------------------------|-----------------------|--------------|
| US                              | 16,588                | 42.6         |
| DE                              | 5,054                 | 13.0         |
| GB                              | 3,425                 | 8.8          |
| JP                              | 2,700                 | 7.0          |
| FR                              | 1,808                 | 4.7          |
| SE                              | 1,572                 | 4.1          |
| NL                              | 1,297                 | 3.3          |
| AU                              | 877                   | 2.2          |
| CA                              | 786                   | 2.0          |
| CH (incl. LI)                   | 786                   | 2.0          |
| Other States * bound by the PCT | 4,013                 | 10.3         |
|                                 | <b>38,906</b>         | <b>100.0</b> |

\* 71 at the end of December 1995

Further statistics, as well as information on the main events which occurred in 1995 in relation to the PCT, are contained in WIPO Press Release PCT/97 which is inserted in this issue.

**Fig. 1: Number of international applications received since 1978**



## PRACTICAL ADVICE

### **Time limit for submitting priority documents if there is more than one priority claim**

*Q: On 15 November 1995, I filed an international application which claims the priority of two earlier national applications the filing dates of which are 1 December 1994 and 15 October 1995. I have already obtained, from the Office with which they were filed, a certified copy of the first application (priority document), but I am experiencing delays in obtaining the second priority document. I know that the time limit for submitting the priority document is 16 months from the priority date. As there are two priority claims,*

*does this mean that I have 16 months from the filing date of the second priority application to furnish the second priority document? If not, is it possible to ask for an extension of the time limit for furnishing the missing priority document?*

*A: You must furnish the second priority document within 16 months of the filing date of the first priority application. PCT Article 2 states that, for the purpose of computing time limits, where the international application contains several priority claims, "priority date" means the filing date of the earliest application whose priority is so claimed. Therefore, your second priority document is due within 16 months from the **earliest priority date**, that is,*

by 1 April 1996. The PCT does not provide for an extension of that time limit. If you obtain the priority document just before the 16-month time limit, you may wish to send it by fax to the International Bureau to ensure receipt before the expiration of that time limit. Provided that you then furnish the original within 14 days, it is of no consequence if the original is received after the 16-month time limit.

Note that if the earlier application was filed with the receiving Office with which the international application was filed, the requirement to furnish the priority document will be considered to have been met if you request the receiving Office, not later than 16 months from the earliest priority date, to transmit the priority document to the International Bureau, and pay any fee which may be required by the receiving Office for that purpose (see PCT Rule 17.1 (b)). The easiest way to do this is, when filing an international application, to mark the check-box provided for that purpose in Box No. VI of the request form.

If within the applicable time limit you neither furnish the missing priority document nor, if applicable, request the receiving Office to transmit the priority document to the International Bureau, some designated Offices may disregard the priority claim in respect of which the priority document has not been furnished. The *PCT Applicant's Guide*, Vol. I/A, Annexes B1 and B2, indicates, for each designated Office, whether or not it disregards the priority claim in such circumstances.

## PCT INFORMATION UPDATE

### Hungary (fees)

The amount of the following fee, payable to the Hungarian Patent Office as receiving Office, has changed:

Transmittal fee: See Table I(a)

The amounts of the following fee, payable to the Hungarian Patent Office as designated and elected Office, have changed:

National fee:

- |  |     |        |
|--|-----|--------|
| – where the Office is a designated Office: | HUF | 20,000 |
| plus, per claim in excess of 10:           | HUF | 1,000  |
| – where the Office is an elected Office:   | HUF | 10,000 |
| plus, per claim in excess of 10:           | HUF | 500    |

(Updating of *PCT Applicant's Guide*, Vol. I/B, Annex C (HU), and Vol. II/B, National Chapter, Summary (HU))

### Iceland (fees)

The amount of the following fee, payable to the Icelandic Patent Office as receiving Office, has changed:

Transmittal fee: See Table I(a)

The amounts of the following fees, payable to the Icelandic Patent Office as designated and elected Office, have changed:

National fee:

- |  |     |        |
|--|-----|--------|
| – Basic fee:                                 | ISK | 28,000 |
| – Claim fee for each claim in excess of ten: | ISK | 1,300  |
| – Annual fees for the first three years:     | ISK | 7,500  |

(Updating of *PCT Applicant's Guide*, Vol. I/B, Annex C (IS), and Vol. II/B, National Chapter, Summary (IS))

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

The Turkish Patent Institute, in its capacity as receiving Office, has specified the Chinese Patent Office, in addition to the European Patent Office and the Russian Patent Office, as competent International Searching and Preliminary Examining Authority.

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

### International preliminary examination fee and handling fee (European Patent Office (EPO))

The equivalent amounts in FIM of the following fees, in respect of international preliminary examination carried out by the EPO, have been established and are applicable as from 1 March 1996:

|   |              |
|---|--------------|
| International preliminary examination fee | See Table II |
| Handling fee:                             | See Table II |

(Updating of *PCT Applicant's Guide*, Vol. I/B, Annex E (EP))

## PCT SCHEDULE OF FEES

The Schedule of Fees which is annexed to the Regulations under the PCT should be replaced by the amended Schedule of Fees inserted in this issue. The amended Schedule of Fees was adopted by the Assembly of the PCT Union on 3 October 1995 and has been applicable from 1 January 1996. It reflects the 75% fee reduction available to certain applicants and the change in the maximum number of designation fees payable from 10 to 11 (see *PCT Newsletter* Nos. 10/1995, cover page, and 11/1995, page 6, for details).

| <b>PCT SEMINAR CALENDAR</b>   |                                    |  |  |
|---|------------------------------------|--|--|
| <b>Dates<br/>Location</b>   | <b>Language<br/>of<br/>seminar</b> | <b>Nature of seminar<br/>WIPO speakers<br/>(and others where known)</b>  | <b>Organizer and<br/>contact numbers</b>   |
| <b>28 (p.m.)–29 February<br/>1996<br/>Cleveland, Ohio (US)</b>                      | English                            | PCT seminar for patent attorneys<br>WIPO speakers: Ms. Boutillon and<br>Mr. Maassel  | Cleveland Intellectual Property<br>Law Association and<br>Jones, Day, Reavis & Pogue<br>Tel: (1-216) 586 73 29<br>Fax: (1-216) 579 02 12 |
| <b>29 February–<br/>1 March 1996 Chicago<br/>(US)</b>                               | English                            | Basic PCT seminar for patent administrators<br>and legal assistants<br>WIPO speakers: Mrs. Coeckelbergs and<br>Mr. Matthes                           | John Marshall Law School<br>(Mr. Gary T. Watson)<br>Tel: (1-312) 987 14 20<br>Fax: (1-312) 427 71 28                                     |
| <b>4–5 March 1996<br/>San Francisco (US)</b>  | English                            | Basic PCT seminar for patent administrators<br>and legal assistants<br>WIPO speakers: Mrs. Coeckelbergs and<br>Mr. Matthes                           | Intellectual Property<br>International<br>(Ms. Virginia H. Meyer)<br>Tel: (1-415) 289 74 71<br>Fax: (1-415) 331 60 68                    |
| <b>25 March 1996<br/>Istanbul (TR)</b>  | English                            | Basic PCT seminar for patent attorneys and<br>industry<br>WIPO speakers: Ms. Boutillon and Mr. Bryan   | Turkish Patent Institute<br>(Ms. Hülya Çayli)<br>Tel: (90-312) 419 02 30<br>Fax: (90-312) 419 02 48                                      |
| <b>27 March 1996<br/>Ankara (TR)</b>  | English                            | Basic PCT seminar for patent attorneys and<br>industry<br>WIPO speakers: Ms. Boutillon and Mr. Bryan   | Turkish Patent Institute<br>(Ms. Hülya Çayli)<br>Tel: (90-312) 419 02 30<br>Fax: (90-312) 419 02 48                                      |
| <b>3 April 1996<br/>(originally scheduled for<br/>4 April 1996)<br/>Ecully (FR)</b> | French                             | PCT seminar for patent attorneys<br>WIPO speaker: Ms. Boutillon  | Centre Paul Roubier<br>(Mrs. Audi)<br>Tel: (33-78) 33 07 08<br>Fax: (33-78) 33 58 96   |
| <b>16–17 April 1996<br/>Munich (DE)</b>   | German                             | Basic PCT seminar for patent administrators<br>WIPO speakers: Mr. Wolff and<br>Mrs. Coeckelbergs   | Forum Institut für<br>Management GmbH<br>Tel: (49-6221) 47 95 12<br>Fax: (49-6221) 41 16 27  |
| <b>17–18 April 1996<br/>Boston (US)</b>   | English                            | Advanced PCT seminar for patent attorneys<br>and patent administrators<br>WIPO speakers: Ms. Boutillon and<br>Mr. Maassel                            | Boston Patent Law Association<br>(Mr. Peter Corles)<br>Tel: (1-617) 523 34 00<br>Fax: (1-617) 523 73 18                                  |
| <b>18–19 April 1996<br/>Munich (DE)</b>   | German                             | Basic PCT seminar for patent attorneys<br>WIPO speakers: Mr. Wolff and Mr. Matthes   | Forum Institut für<br>Management GmbH<br>Tel: (49-6221) 47 95 12<br>Fax: (49-6221) 41 16 27  |
| <b>19–20 April 1996<br/>Concord, New<br/>Hampshire (US)</b>                         | English                            | Basic PCT seminar for patent attorneys and<br>patent administrators<br>WIPO speakers: Ms. Boutillon and<br>Mr. Maassel                               | Franklin Pierce Law Center<br>(Mr. Karl Jorda)<br>Tel: (1-603) 228 15 41<br>(extension 109)<br>Fax: (1-603) 224 33 42                    |
| <b>22–24 April 1996<br/>Naples, Florida (US)</b>                                    | English                            | PCT seminar for patent attorneys "Basic<br>Patent Cooperation Treaty Practice"<br>WIPO speakers: Mr. Bartels, Ms. Boutillon<br>and Mr. Maassel       | Patent Resources Group, Inc.<br>Tel: (1-804) 296 39 00<br>Fax: (1-804) 296 39 99   |
| <b>25–27 April 1996<br/>Naples, Florida (US)</b>                                    | English                            | PCT seminar for patent attorneys<br>"Advanced Patent Cooperation Treaty<br>Practice"<br>WIPO speakers: Mr. Bartels, Ms. Boutillon<br>and Mr. Maassel | Patent Resources Group, Inc.<br>Tel: (1-804) 296 39 00<br>Fax: (1-804) 296 39 99   |
| <b>11–12 June 1996<br/>Paris (FR)</b>   | French                             | Basic PCT seminar for patent attorneys<br>WIPO speaker: Ms. Boutillon  | EUROFORUM<br>(Mrs. Françoise Parolari)<br>Tel: (33-1-44) 88 14 88<br>Fax: (33-1-44) 88 14 99   |



### PCT FEE TABLES

The following Tables show the amounts (including currencies – see the key to currency abbreviations following Table II) 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 (Tables I(a) and I(b)) and under Chapter II (Table II). Fees which are payable only in particular 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/B, Annexes C, D and E. Note that all amounts are subject to change due variations in the fees themselves or fluctuations in exchange rates. **A 75% reduction in the basic fee, the supplement per sheet over 30, the designation and confirmation fees and the handling fee is available to applicants from certain States; see footnote 2 for details.** Footnotes to all Tables follow Table II.

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

(as at 1 February 1996, unless otherwise indicated)

| RO              | Transmittal fee <sup>1</sup> | Basic fee <sup>1,2</sup><br>(CHF 762) | Supplement per<br>sheet over 30 <sup>1,2</sup><br>(CHF 15) | Designation<br>fee <sup>1,2,3</sup><br>(CHF 185) | Competent<br>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 <sup>7</sup> 10,000      | HUF equiv of CHF 762                  | equiv of CHF 15  | equiv of CHF 185                                 | EP RU                            |
| IB              | CHF 300<br>or USD 200        | CHF 762<br>or USD 677                 | 15<br>13   | 185<br>164                                       | See footnote 8                   |
| IE              | IEP 60                       | IEP 425                               | 8  | 103  | EP                               |
| IS              | ISK 5,500                    | 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 February 1996, unless otherwise indicated)

| RO | Transmittal fee <sup>1</sup> |                 | Basic fee <sup>1,2</sup><br>(CHF 762) |                  | Supplement per<br>sheet over 30 <sup>1,2</sup><br>(CHF 15) | Designation<br>fee <sup>1,2,3</sup><br>(CHF 185) | Competent<br>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 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                          | See footnote 9  | 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  | CN 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 February 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>10</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>10</sup> | RUR                     | 840,000             | CHF                  | 225                 | USD | 200                  |                      |                      |     |                   |                   |                   |
| SE               | SEK                     | 2,600 <sup>11</sup> | 3,600 <sup>12</sup>  | 4,200 <sup>13</sup> | FIM | 1,540 <sup>11</sup>  | 2,130 <sup>12</sup>  | 2,480 <sup>13</sup>  | USD | 347 <sup>11</sup> | 480 <sup>12</sup> | 560 <sup>13</sup> |
|                  | CHF                     | 410 <sup>11</sup>   | 570 <sup>12</sup>    | 660 <sup>13</sup>   | ISK | 22,000 <sup>11</sup> | 31,000 <sup>12</sup> | 36,000 <sup>13</sup> |     |                   |                   |                   |
|                  | DKK                     | 2,000 <sup>11</sup> | 2,710 <sup>12</sup>  | 3,160 <sup>13</sup> | NOK | 2,240 <sup>11</sup>  | 3,100 <sup>12</sup>  | 3,620 <sup>13</sup>  |     |                   |                   |                   |
| US               | USD                     | 660                 | (430 <sup>14</sup> ) |                     | CHF | 740                  | (480 <sup>14</sup> ) |                      |     |                   |                   |                   |

**Table II – PRELIMINARY EXAMINATION FEES**

(as at 1 February 1996, unless otherwise indicated)

| IPEA             | Preliminary examination fee <sup>15</sup> |           |                      | Handling fee <sup>2,15</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>10</sup> | DEM                                       | 3,000     | FIM*                 | LUF                                    | 62,900 | DEM 292 FIM* LUF 6,020       |
|                  | ATS                                       | 21,430    | FRF 10,910           | NLG 3,430                              |        | ATS 2,060 FRF 1,000 NLG 328  |
|                  | BEF                                       | 62,900    | GBP 1,380            | PTE 323,500                            |        | BEF 6,020 GBP 131 PTE 30,900 |
|                  | CHF                                       | 2,550     | IEP 1,379            | SEK 15,870                             |        | CHF 233 IEP 130 SEK 1,460    |
|                  | DKK                                       | 12,300    | ITL 3,704,000        |  |        | DKK 1,140 ITL 333,000        |
|                  | (*from 01.03.96: FIM 9,380)               |           |                      | * (from 01.03.96: FIM 887)             |        |                              |
| JP               | JPY                                       | 28,000    |                      | JPY                                    | 20,600 |                              |
| RU <sup>10</sup> | RUR                                       | 1,260,000 | USD 300              | USD                                    | 207    |                              |
| SE               | SEK                                       | 3,200     |                      | SEK                                    | 1,460  |                              |
| US               | USD                                       | 470       | (710 <sup>16</sup> ) | USD                                    | 207    |                              |

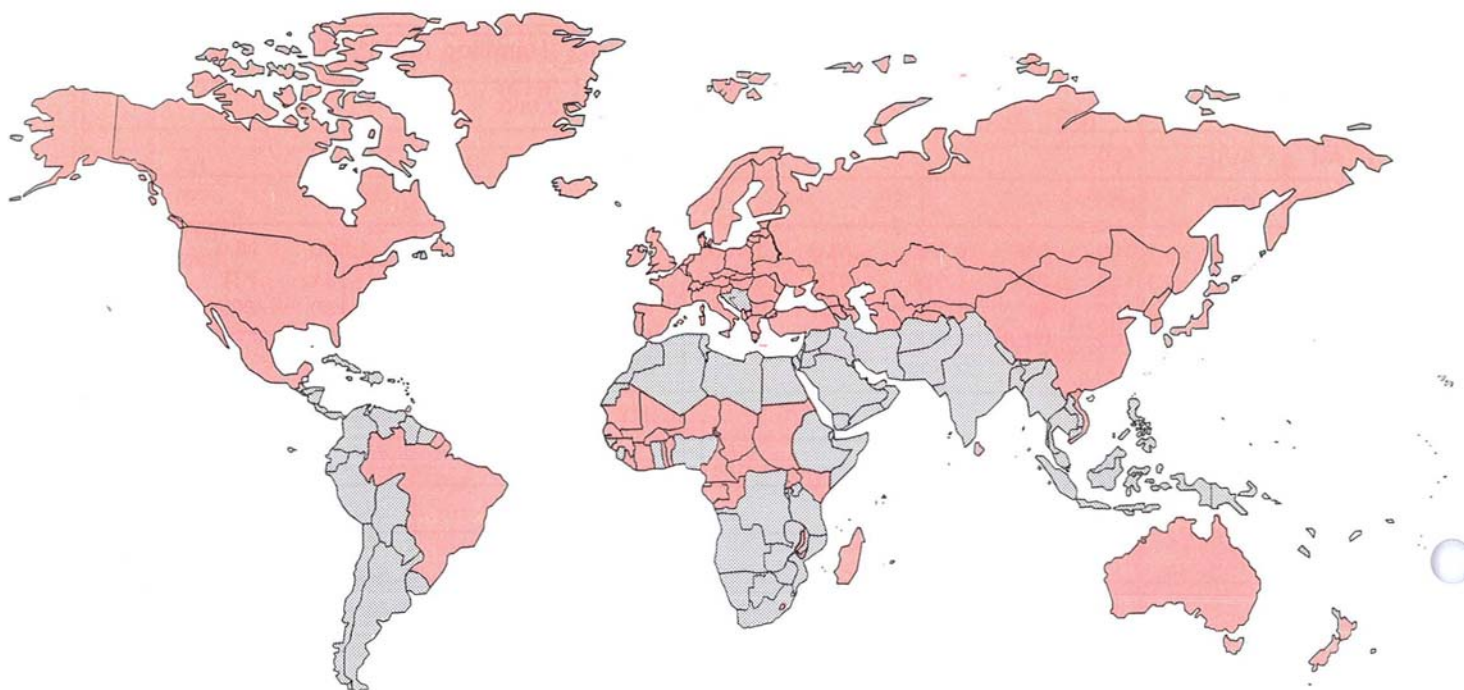
*Key to currency abbreviations for all fee tables:*

|                       |                      |                      |                        |                                |
|-----------------------|----------------------|----------------------|------------------------|--------------------------------|
| 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         | EEK 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, SEK and, as from 1 March 1996, in FIM. For the amounts in the said currencies, reference should be made to the latest issue of the *Official Journal* of the EPO.
- 7 A supplement of HUF 500 is also payable for each claim in excess of 10.
- 8 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.
- 9 5% of the total value of the basic fee, supplement per sheet over 30, designation fee and search fee.
- 10 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).
- 11 If on an earlier application, the priority of which is claimed, a first office action has been issued by the Swedish Patent Office.
- 12 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.
- 13 In all cases where footnotes 11 and 12 do not apply.
- 14 Payable when a corresponding prior US national application has been filed and the basic national fee for that US application has been paid.
- 15 Payable to the International Preliminary Examining Authority in the currency or one of the currencies prescribed by it.
- 16 Payable when the international search report was not established by the United States Patent and Trademark Office.

## PCT CONTRACTING STATES AND TWO-LETTER CODES (83 on 1 February 1996)



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

1 Extension of European patent possible.

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

3 May not be designated for a national patent (the national route has been closed).

4 Not bound by Chapter II.

5 May be designated for a European patent as from 1 March 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.



[Schedule of Fees applicable from January 1, 1996]

SCHEDULE OF FEES

| <b>Fees</b>   | <b>Amounts</b>  |
|---|---|
| 1. Basic Fee:<br>(Rule 15.2(a))   |   |
| (a) if the international application<br>contains not more than 30 sheets          | 762 Swiss francs  |
| (b) if the international application<br>contains more than 30 sheets              | 762 Swiss francs plus<br>15 Swiss francs for each<br>sheet in excess of 30 sheets   |
| 2. Designation Fee:<br>(Rule 15.2(a))   |   |
| (a) for designations made<br>under Rule 4.9(a)                                    | 185 Swiss francs per designation,<br>provided that any designation<br>made under Rule 4.9(a) in ex-<br>cess of 11 shall not require the<br>payment of a designation fee |
| (b) for designations made under<br>Rule 4.9(b) and confirmed<br>under Rule 4.9(c) | 185 Swiss francs per designation  |
| 3. Confirmation Fee:<br>(Rule 15.5(a))  | 50% of the sum of the designation<br>fees payable under item 2(b)   |
| 4. Handling Fee:<br>(Rule 57.2(a))  | 233 Swiss francs  |

All fees are reduced by 75% for international applications filed by any applicant who is a natural person and who is a national of and resides in a State whose per capita national income is below US\$3,000 (according to the average per capita national income figures used by the United Nations for determining its scale of assessments for the contributions payable for the years 1995, 1996 and 1997); if there are several applicants, each must satisfy those criteria.

WORLD INTELLECTUAL PROPERTY  
ORGANIZATION

世界知识产权组织

ORGANIZACIÓN MUNDIAL  
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ORGANISATION MONDIALE  
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المنظمة العالمية للملكية الفكرية

ВСЕМИРНАЯ ОРГАНИЗАЦИЯ  
ИНТЕЛЛЕКТУАЛЬНОЙ СОБСТВЕННОСТИ

WIPO Press Release PCT/97  
Geneva, January 31, 1996

### **The Patent Cooperation Treaty (PCT) in 1995**

The World Intellectual Property Organization (WIPO), Geneva, announces the main events which occurred in 1995 in relation to the Patent Cooperation Treaty (PCT) and the results of operations under the PCT for the same year.

— \* —

1. Since 1978, the PCT system has offered inventors and industry an advantageous route for obtaining patent protection internationally. By filing one “international” application under the PCT, protection for an invention can be sought simultaneously in each of a large number of countries.

2. The worldwide use of the PCT route continued to increase considerably during 1995. In that year, the International Bureau of WIPO received 38,906 international applications filed worldwide, which represents an increase over 1994 of 14.1%. These 38,906 international applications had the effect of 916,273 national applications, and of 68,206 regional patent applications which were the equivalent of 890,943 applications for patent protection in the member States of the regional patent systems, that is, a total of 1,807,216 national applications.

3. During 1995, Albania, Azerbaijan, Iceland, Lesotho, Mexico, Singapore, The former Yugoslav Republic of Macedonia, Turkmenistan and Uganda (9 States) became PCT Contracting States.

*Mexico* became bound by the PCT on January 1, 1995.

*Uganda* became bound by the PCT on February 9, 1995.

*Singapore* became bound by the PCT on February 23, 1995.

*Turkmenistan* became bound by the PCT upon the filing, on March 1, 1995, of a declaration of continuation of the PCT with effect from December 25, 1991, as a successor State of the former Soviet Union.

*Iceland* became bound by the PCT on March 23, 1995.

*The former Yugoslav Republic of Macedonia* became bound by the PCT on August 10, 1995.

*Albania* became bound by the PCT on October 4, 1995.

*Lesotho* became bound by the PCT on October 21, 1995.

*Azerbaijan* became bound by the PCT on December 25, 1995.

4. The 82 States party to the PCT on December 31, 1995, were the following:

|  |               |                     |                     |
|--|---------------|---------------------|---------------------|
| Albania                                  | Denmark       | Madagascar          | Sudan               |
| Armenia                                  | Estonia       | Malawi              | Swaziland           |
| Australia                                | Finland       | Mali                | Sweden              |
| Austria                                  | France        | Mauritania          | Switzerland         |
| Azerbaijan                               | Gabon         | Mexico              | Tajikistan          |
| Barbados                                 | Georgia       | Monaco              | The former Yugoslav |
| Belarus                                  | Germany       | Mongolia            | Republic of         |
| Belgium                                  | Greece        | Netherlands         | Macedonia           |
| Benin                                    | Guinea        | New Zealand         | Togo                |
| Brazil                                   | Hungary       | Niger               | Trinidad and Tobago |
| Bulgaria                                 | Iceland       | Norway              | Turkmenistan        |
| Burkina Faso                             | Ireland       | Poland              | Uganda              |
| Cameroon                                 | Italy         | Portugal            | Ukraine             |
| Canada                                   | Japan         | Republic of Korea   | United Kingdom      |
| Central African<br>Republic              | Kazakstan     | Republic of Moldova | United States of    |
| Chad                                     | Kenya         | Romania             | America             |
| China                                    | Kyrgyzstan    | Russian Federation  | Uzbekistan          |
| Congo                                    | Latvia        | Senegal             | Viet Nam            |
| Côte d'Ivoire                            | Lesotho       | Singapore           |                     |
| Czech Republic                           | Liberia       | Slovakia            |                     |
| Democratic People's<br>Republic of Korea | Liechtenstein | Slovenia            |                     |
|  | Lithuania     | Spain               |                     |
|  | Luxembourg    | Sri Lanka           |                     |

5. An instrument of accession to the PCT was deposited on October 1, 1995 by *Turkey*, which became bound by the PCT on January 1, 1996, as the 83rd Contracting State.

6. The Eurasian Patent Convention (EAPC), a new regional patent treaty within the meaning of PCT Article 45(1), entered into force on August 12, 1995. In order for a State to become a member of that Convention, it must also be a Contracting State of the PCT. At the end of 1995, those PCT Contracting States which were also bound by the Eurasian Patent Convention were: Azerbaijan, Belarus, Kazakstan, Russian Federation, Tajikistan and Turkmenistan. The following PCT Contracting States became, or will become, bound by the EAPC during the months of January and February 1996: Armenia, Kyrgyzstan and the Republic of Moldova. The Eurasian Patent Office (EAPO), which is located in Moscow and which was established under the EAPC, commenced operations, including receiving Eurasian patent applications under the EAPC, on January 1, 1996. From that date, nationals and residents of member States of the EAPC have been entitled to file international applications with the EAPO as a PCT receiving Office. Moreover, in international applications filed on or after January 1, 1996, it is possible to include a designation for a Eurasian patent having effect in member States of the EAPC. Those PCT Contracting States which are also party to the EAPC can be designated either for a national patent or for a Eurasian patent, or for both. (It is not possible, however, to designate only some of the Contracting States of the EAPC for a Eurasian patent, since a Eurasian patent can only be granted for all Contracting States of that Convention.)

7. With effect from April 1, 1995, the "national route" in respect of the Netherlands was closed and consequently it is no longer possible to designate the Netherlands for a national patent. Therefore, in international applications filed on or after April 1, 1995, the Netherlands may be designated only for a European patent.

8. On September 1, 1995, Liechtenstein and Switzerland became bound by Chapter II of the PCT, following the withdrawal of their reservations under PCT Article 64(1)(a). Consequently, as from September 1, 1995, nationals and residents of Liechtenstein and Switzerland have been entitled to file demands for international preliminary examination of their international applications and Liechtenstein and Switzerland may be elected in demands for international preliminary examination.

9. In October 1995, a proposal to reduce by 75% the basic fee, the designation fee, the confirmation fee and the handling fee in respect of international applications filed by certain applicants was adopted by the Assembly of the PCT Union, with effect from January 1, 1996. A proposal to increase the maximum number of designation fees payable with effect from January 1, 1996, from 10 to 11, was also adopted. (See paragraph 29 for details.)

10. **Summary of the procedure under the PCT.** The system of patent cooperation under the PCT means that, by filing only one international application with one office, the PCT applicant can obtain the effect of regular national filings in any or all PCT Contracting States without initially having to furnish a translation of the application or to pay national fees. The national patent granting procedure and the related high expenses are postponed, in the majority of cases, by up to 18 months or even longer in the case of some offices.

11. During that period, each international application is subjected to an international search carried out by one of the major patent offices of the world acting as an International Searching Authority under the PCT which establishes an international search report setting out the relevant prior art. That report is received by the applicant about 16 months from the priority date. The international application is published by the International Bureau 18 months after the priority date and is then transmitted to the designated Offices and to the applicant.

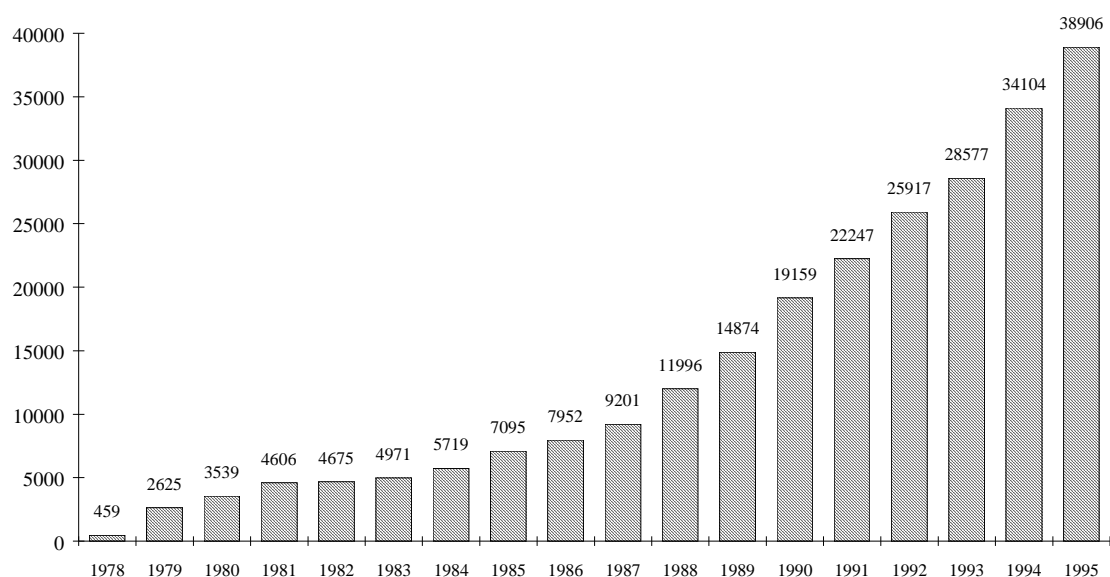
12. If the applicant so requests, and most do so (see paragraph 22, below), the international application is also subjected to international preliminary examination under Chapter II of the PCT carried out by one of the offices which act as International Preliminary Examining Authorities under the PCT. That examination results in a report as to whether the claimed invention fulfills the criteria of novelty, inventive step and industrial applicability. The report is received by the applicant about 28 months from the priority date.

13. With the international search report, and, where requested, the international preliminary examination report, the applicant is in a much better position to decide whether to initiate the national patent granting procedure before the various designated patent offices. It is only if the applicant is convinced, in the light of such reports, that it is worthwhile to seek patent protection in the various countries, that he will normally decide to pay national fees, the cost of preparing translations and professional fees for patent agents abroad. This need not be done until 8 or 18 months later than under the traditional system (when the PCT is not used), depending on whether there is only an international search report or also an international preliminary examination report. At that later time, the applicant is also in a much better position to decide about the need for patent protection having regard to increased knowledge of the technical and economic prospects of the invention.

14. **Statistics.** As already indicated, the number of international applications received by the International Bureau in 1995 amounted to 38,906 (1994: 34,104). The corresponding numbers in each calendar year since the beginning of PCT operations are as follows:



### Number of international applications received since 1978



15. The following table shows, by country of origin, the number of international applications received by the International Bureau<sup>1</sup> in 1995, and the corresponding percentages, as compared with 1994:

| <i>Country of origin</i> <sup>2</sup> | <i>Number of applications</i> |               | <i>Percentage</i> |               |
|---------------------------------------|-------------------------------|---------------|-------------------|---------------|
|                                       | <b>1995</b>                   | <b>(1994)</b> | <b>1995</b>       | <b>(1994)</b> |
| US United States of America           | 16,588                        | (14,798)      | 42.64             | (43.39)       |
| DE Germany                            | 5,054                         | (4,294)       | 12.99             | (12.59)       |
| GB United Kingdom <sup>3</sup>        | 3,425                         | (3,212)       | 8.80              | (9.42)        |
| JP Japan                              | 2,700                         | (2,290)       | 6.94              | (6.71)        |
| FR France                             | 1,808                         | (1,631)       | 4.65              | (4.78)        |
| SE Sweden                             | 1,572                         | (1,250)       | 4.04              | (3.67)        |
| NL Netherlands                        | 1,297                         | (780)         | 3.33              | (2.29)        |
| AU Australia                          | 877                           | (803)         | 2.25              | (2.35)        |
| CA Canada                             | 786                           | (748)         | 2.02              | (2.19)        |
| CH Switzerland <sup>4</sup>           | 786                           | (640)         | 2.02              | (1.88)        |
| FI Finland                            | 718                           | (592)         | 1.85              | (1.74)        |
| IT Italy                              | 570                           | (518)         | 1.47              | (1.52)        |
| DK Denmark                            | 554                           | (523)         | 1.42              | (1.53)        |
| AT Austria                            | 332                           | (258)         | 0.85              | (0.76)        |
| RU Russian Federation                 | 288                           | (343)         | 0.74              | (1.01)        |
| NO Norway                             | 246                           | (216)         | 0.63              | (0.63)        |
| BE Belgium                            | 232                           | (205)         | 0.60              | (0.60)        |
| KR Republic of Korea                  | 192                           | (190)         | 0.49              | (0.56)        |

[continued on next page]

1. Figures based on the number of copies of international applications sent, under PCT Article 12, to the International Bureau by PCT receiving Offices (including by the International Bureau itself as a receiving Office).

2. Of the international applications received by the International Bureau, 4,953 (=12.7%) were received from the European Patent Office (EPO) as receiving Office and 1,143 (=2.9%) were received from the International Bureau as receiving Office; those applications are included in the figures concerning the country of origin of the applicant.

3. Includes figures for Hong Kong and the Isle of Man, since the national Office of the United Kingdom also acts as receiving Office for residents of Hong Kong and the Isle of Man.

4. Includes figures for Liechtenstein, since the national Office of Switzerland also acts as receiving Office for nationals and residents of Liechtenstein.

[number of international applications received by the International Bureau in 1995, continued]

| Country of origin <sup>5</sup> |                     | Number of applications |          | Percentage |          |
|--------------------------------|---------------------|------------------------|----------|------------|----------|
|                                |                     | 1995                   | (1994)   | 1995       | (1994)   |
| ES                             | Spain               | 170                    | (142)    | 0.44       | (0.42)   |
| NZ                             | New Zealand         | 140                    | (147)    | 0.36       | (0.43)   |
| CN                             | China               | 106                    | (98)     | 0.27       | (0.29)   |
| IE                             | Ireland             | 76                     | (76)     | 0.20       | (0.22)   |
| HU                             | Hungary             | 68                     | (75)     | 0.17       | (0.22)   |
| BR                             | Brazil              | 66                     | (48)     | 0.17       | (0.14)   |
| SI                             | Slovenia            | 32                     | (20)     | 0.08       | (0.06)   |
| LU                             | Luxembourg          | 31                     | (42)     | 0.08       | (0.12)   |
| CZ                             | Czech Republic      | 28                     | (27)     | 0.07       | (0.08)   |
| GR                             | Greece              | 25                     | (28)     | 0.06       | (0.08)   |
| PL                             | Poland              | 22                     | (23)     | 0.06       | (0.07)   |
| SG                             | Singapore           | 21                     | (-)      | 0.05       | (-)      |
| RO                             | Romania             | 16                     | (9)      | 0.04       | (0.03)   |
| BG                             | Bulgaria            | 12                     | (13)     | 0.03       | (0.04)   |
| BY                             | Belarus             | 11                     | (5)      | 0.03       | (0.01)   |
| UA                             | Ukraine             | 10                     | (27)     | 0.03       | (0.08)   |
| SK                             | Slovakia            | 10                     | (5)      | 0.03       | (0.01)   |
| MX                             | Mexico              | 10                     | (-)      | 0.03       | (-)      |
| PT                             | Portugal            | 6                      | (13)     | 0.02       | (0.04)   |
| IS                             | Iceland             | 3                      | (-)      | 0.01       | (-)      |
| MC                             | Monaco              | 3                      | (3)      | 0.01       | (0.01)   |
| KE                             | Kenya               | 2                      | (0)      | 0.01       | (0.00)   |
| LR                             | Liberia             | 2                      | (0)      | 0.01       | (0)      |
| MD                             | Republic of Moldova | 2                      | (0)      | 0.01       | (0)      |
| MW                             | Malawi              | 2                      | (0)      | 0.01       | (0)      |
| OA                             | OAPI States         | 2                      | (0)      | 0.01       | (0.00)   |
| BB                             | Barbados            | 1                      | (3)      | <0.01      | (0.01)   |
| GE                             | Georgia             | 1                      | (1)      | <0.01      | (<0.01)  |
| KZ                             | Kazakstan           | 1                      | (1)      | <0.01      | (<0.01)  |
| LK                             | Sri Lanka           | 1                      | (4)      | <0.01      | (0.01)   |
| UZ                             | Uzbekistan          | 1                      | (0)      | <0.01      | (0)      |
| AM                             | Armenia             | 0                      | (1)      | 0.00       | (<0.01)  |
| LT                             | Lithuania           | 0                      | (1)      | 0.00       | (<0.01)  |
| TT                             | Trinidad and Tobago | 0                      | (1)      | 0.00       | (<0.01)  |
| TOTAL                          |                     | 38,906                 | (34,104) | 100.00     | (100.00) |

16. In 1995, the average number of designations made per international application was 25.3 (1994: 19.5). This figure is much higher than the number of States where patent protection will eventually be sought, because the applicants in respect of 46.1% (1994: 41.4%) of all international applications received by the International Bureau in 1995 used the possibility of paying the maximum of 10 designation fees while designating any number of (frequently all) PCT Contracting States in order to extend the effects of the international application to as many States as might be of interest to them, retaining the option of deciding at a later stage in which States they wish to proceed. (As from January 1, 1996, the maximum number of designation fees payable is 11, see paragraph 29, below.) The 25.3 designations had, on average, per international application, the effect of national or regional applications in 46.5 (1994: 38.7) Contracting States. The difference between the number of designations and their effect as national or regional applications is due to the fact that each designation for a regional (European, ARIPO or OAPI) patent covers several States. In 1995, a European patent

5. Of the international applications received by the International Bureau, 4,953 (=12.7%) were received from the European Patent Office (EPO) as receiving Office and 1,143 (=2.9%) were received from the International Bureau as receiving Office; those applications are included in the figures concerning the country of origin of the applicant.

was sought in 37,588 international applications, which represents 96.6% (1994: 32,823 = 96.2%) of the total.

17. In 1995, the International Bureau of WIPO as PCT receiving Office received 1,151 (1994: 447) international applications from 32 countries, including 164 which benefited from the procedure for the transmittal by “non-competent” receiving Offices to the International Bureau in its capacity as receiving Office, allowing applicants to retain the date of receipt by the non-competent receiving Office as the international filing date.

18. A copy of every international application is sent to the competent International Searching Authority for carrying out the international search. Where more than one International Searching Authority is competent, the applicant chooses that which he prefers. The number of international applications sent to each International Searching Authority in 1995 is indicated below:

| <i>International Searching Authority</i> | <i>Number of applications</i> |                 | <i>Percentage</i> |                |
|--|-------------------------------|-----------------|-------------------|----------------|
|  | <b>1995</b>                   | <b>(1994)</b>   | <b>1995</b>       | <b>(1994)</b>  |
| European Patent Office                   | 21,541                        | (18,718)        | 55.4              | (54.9)         |
| United States of America                 | 9,628                         | (8,976)         | 24.7              | (26.3)         |
| Sweden                                   | 3,490                         | (2,578)         | 8.9               | (7.6)          |
| Japan                                    | 2,522                         | (2,156)         | 6.5               | (6.3)          |
| Australia                                | 1,011                         | (939)           | 2.6               | (2.7)          |
| Russian Federation                       | 302                           | (373)           | 0.8               | (1.1)          |
| Austria                                  | 244                           | (266)           | 0.6               | (0.8)          |
| China                                    | 108                           | (98)            | 0.3               | (0.3)          |
| Spain <sup>6</sup>                       | 60                            | (-)             | 0.2               | (-)            |
| <b>TOTAL</b>                             | <b>38,906</b>                 | <b>(34,104)</b> | <b>100.0</b>      | <b>(100.0)</b> |

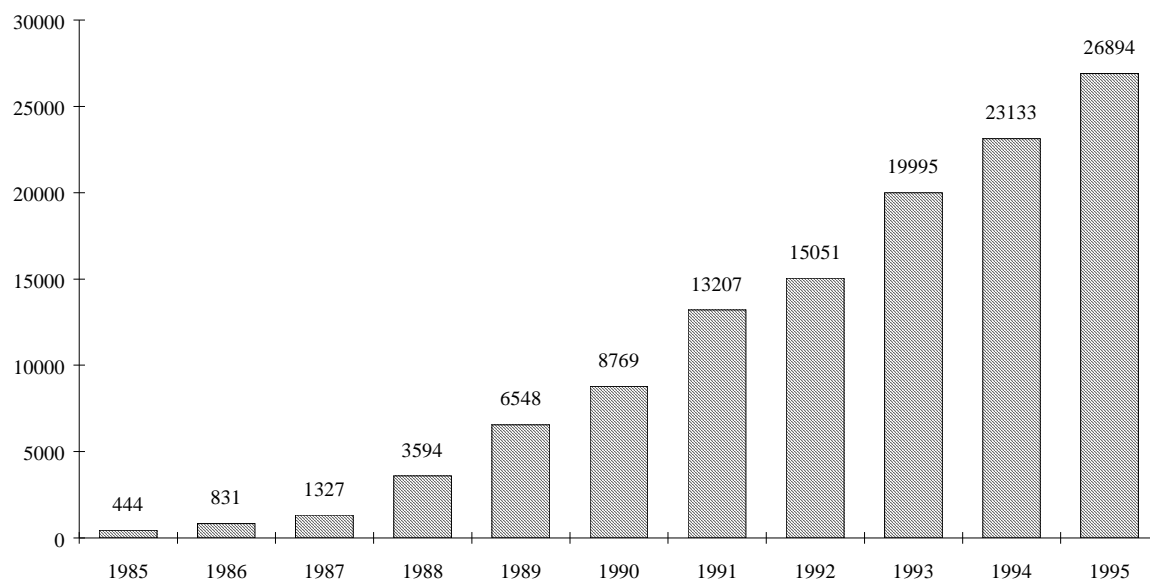
19. The international applications of which record copies were received by the International Bureau in 1995 were filed in the following languages:

| <i>Language of filing</i> | <i>Number of applications</i> |                 | <i>Percentage</i> |                |
|---------------------------|-------------------------------|-----------------|-------------------|----------------|
|                           | <b>1995</b>                   | <b>(1994)</b>   | <b>1995</b>       | <b>(1994)</b>  |
| English                   | 26,519                        | (23,340)        | 68.1              | (68.4)         |
| German                    | 5,733                         | (4,848)         | 14.7              | (14.2)         |
| Japanese                  | 2,526                         | (2,160)         | 6.5               | (6.3)          |
| French                    | 1,895                         | (1,768)         | 4.9               | (5.2)          |
| Swedish                   | 744                           | (620)           | 1.9               | (1.8)          |
| Finnish                   | 387                           | (319)           | 1.0               | (1.0)          |
| Russian                   | 302                           | (366)           | 0.8               | (1.1)          |
| Dutch                     | 225                           | (170)           | 0.6               | (0.5)          |
| Danish                    | 175                           | (174)           | 0.4               | (0.5)          |
| Spanish                   | 160                           | (135)           | 0.4               | (0.4)          |
| Norwegian                 | 143                           | (110)           | 0.4               | (0.3)          |
| Chinese                   | 97                            | (94)            | 0.3               | (0.3)          |
| <b>TOTAL</b>              | <b>38,906</b>                 | <b>(34,104)</b> | <b>100.0</b>      | <b>(100.0)</b> |

6. The Spanish Patent and Trademark Office started acting as International Searching Authority on January 1, 1995.

20. The number of demands for international preliminary examination received by the International Bureau from the International Preliminary Examining Authorities in 1995 amounted to 26,894, which represents an increase over 1994 of 16.3%. The numbers of demands in each calendar year since 1985 are as follows:

### Number of demands filed worldwide



21. Those demands were received by the International Bureau from the Offices indicated below in their capacity as International Preliminary Examining Authorities:

| <i>International Preliminary<br/>Examining Authority</i> | <i>Number of demands</i> |                 | <i>Percentage</i> |                |
|--|--------------------------|-----------------|-------------------|----------------|
|  | <b>1995</b>              | <b>(1994)</b>   | <b>1995</b>       | <b>(1994)</b>  |
| European Patent Office                                   | 14,428                   | (12,261)        | 53.7              | (53.0)         |
| United States of America                                 | 8,178                    | (7,578)         | 30.4              | (32.8)         |
| Sweden   | 1,969                    | (1,575)         | 7.3               | (6.8)          |
| Japan  | 1,110                    | (730)           | 4.1               | (3.1)          |
| Australia  | 864                      | (732)           | 3.2               | (3.2)          |
| Austria  | 138                      | (116)           | 0.5               | (0.5)          |
| Russian Federation                                       | 127                      | (109)           | 0.5               | (0.5)          |
| China  | 80                       | (30)            | 0.3               | (0.1)          |
| United Kingdom <sup>7</sup>                              | (-)                      | (2)             | (-)               | (<0.1)         |
| <b>TOTAL</b>   | <b>26,894</b>            | <b>(23,133)</b> | <b>100.0</b>      | <b>(100.0)</b> |

22. The demands for international preliminary examination received in 1995 relate mainly to international applications filed in 1994. Applicants are increasingly (between 70 and 80% of all applicants) taking advantage of the benefits of the procedure under Chapter II of the PCT.

7. The United Kingdom Patent Office ceased to be an International Preliminary Examining Authority in respect of demands for international preliminary examination made on or after June 1, 1993.



23. **Publications under the PCT.** The publication of the *PCT Gazette*, in separate English and French editions, continued on a weekly basis (rather than every two weeks) from January 5, 1995. In addition to a substantial volume of information of a general character concerning new Contracting States and the requirements of the various offices and international authorities, the *PCT Gazette* included entries relating to the 35,638 (1994: 30,003) international applications which were published in 1995 in the form of PCT pamphlets (in Chinese, English, French, German, Japanese, Russian or Spanish, depending on the language of filing) on the same day as the relevant issue of the *PCT Gazette*. In January 1995 and July 1995, two special issues of the *PCT Gazette* were published, containing consolidated general information relating to Contracting States, national and regional Offices and international authorities (No. 01/1995 and No. 28/1995). In October 1995, a special issue of the *PCT Gazette* was published, containing consolidated texts of the Agreements between WIPO and the International Searching Authorities and International Preliminary Examining Authorities under the PCT.

24. The numbers of international applications published in 1995 as pamphlets in each of the above-mentioned languages are as follows:

| <i>Language of publication</i> | <i>Number of applications</i> |               | <i>Percentage</i> |               |
|--------------------------------|-------------------------------|---------------|-------------------|---------------|
|                                | <b>1995</b>                   | <b>(1994)</b> | <b>1995</b>       | <b>(1994)</b> |
| English                        | 26,004                        | (21,959)      | 73.0              | (73.2)        |
| German                         | 5,082                         | (4,281)       | 14.3              | (14.3)        |
| Japanese                       | 2,267                         | (1,884)       | 6.4               | (6.3)         |
| French                         | 1,799                         | (1,520)       | 5.0               | (5.0)         |
| Russian                        | 273                           | (240)         | 0.7               | (0.8)         |
| Spanish                        | 129                           | (91)          | 0.4               | (0.3)         |
| Chinese                        | 84                            | (28)          | 0.2               | (0.1)         |
|                                | _____                         | _____         | _____             | _____         |
| TOTAL                          | 35,638                        | (30,003)      | 100.0             | (100.0)       |

25. The *PCT Applicant's Guide*, which contains information on the filing of international applications and the procedure during the international phase as well as information on the national phase and the procedure before the designated (or elected) Offices, was updated in 1995 to include the many changes that occurred during the year in respect of the PCT.

26. Twelve issues of the *PCT Newsletter* were published in 1995. This monthly publication (in English only) provides up-to-date news for users of the PCT. It contains information on the essential items included in Section IV of the *PCT Gazette* and supplements the *PCT Applicant's Guide*, with practical advice for applicants and agents, a list of forthcoming PCT seminars, consolidated tables of PCT fees in various currencies, and other items of general interest. It also includes tear-out provisional sheets permitting easy inclusion of certain important changes in the *PCT Applicant's Guide* prior to the issuance of bi-yearly updates.

27. In 1995, the International Bureau continued, in cooperation with the European Patent Office, the production of *ESPACE WORLD* CD-ROMs, each disk containing the full text and the drawings of about 500 published international applications as well as the corresponding bibliographic data in coded, searchable form. All international applications published since 1978 are available in CD-ROM format (a total of 426 CD-ROMs).

28. **Meetings.** The PCT Committee for Technical Cooperation (PCT/CTC) held its eighteenth session from May 15 to 19, 1995, in Geneva, and considered the draft of a revised PCT Minimum Documentation List pursuant to PCT Rule 34.1(b)(iii). The International Searching Authorities which were represented at the session approved the revised PCT list consisting of 135 periodicals and technical journals to be used for search and examination, now also including their titles abbreviated

revised PCT list, which took effect as from January 1, 1996, would be published in the *PCT Gazette* and in the *WIPO Handbook on Industrial Property Information and Documentation*.

29. The Assembly of the PCT Union held its twenty-third (tenth ordinary) session from September 25 to October 3, 1995. It decided, with effect from January 1, 1996, to reduce by 75% the basic fee, the designation fee, the confirmation fee and the handling fee in respect of international applications filed by any applicant who is a natural person and who is a national of and resides in a State whose per capita national income is below 3,000 US dollars (according to the average per capita national income figures used by the United Nations for determining its scale of assessments for the contributions payable for the years 1995, 1996 and 1997).<sup>8</sup> If there are several applicants, each must satisfy those criteria. The fee reduction will be available even if one or more of the applicants are not from PCT Contracting States, provided that each of them satisfies the above-mentioned criteria and that at least one of them is a national or resident of a PCT Contracting State and thus is entitled to file an international application. The Assembly also decided not to increase PCT fees generally but to increase the maximum number of designation fees payable, with effect from January 1, 1996, from 10 to 11. (It should be noted that the number of PCT Contracting States had increased from 35, when the maximum of 10 designation fees payable was first introduced in 1984, to more than 80.)

30. In 1995, officials of the International Bureau participated in numerous meetings and seminars which dealt with the use and advantages of the PCT. Those meetings and seminars, which were held in Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Bhutan, Bolivia, Brazil, Chile, Cuba, Denmark, Egypt, Ethiopia, France, Germany, Guyana, India, Japan, Jordan, Kuwait, Kyrgyzstan, Laos, Luxembourg, Mongolia, the Netherlands, Pakistan, Peru, the Republic of Moldova, the Russian Federation, Singapore, Slovakia, Slovenia, South Africa, Sri Lanka, Switzerland, Thailand, The former Yugoslav Republic of Macedonia, Tunisia, Ukraine, the United Arab Emirates, the United Kingdom, the United States of America, Uruguay and Venezuela, included 59 seminars and presentations given to over 4,600 users and potential users of the PCT system.

31. **Ordering of PCT Publications.** PCT publications may be purchased from WIPO, Publications Sales and Distribution Unit, Post Office Box 18, CH-1211 Geneva 20, Switzerland, Facsimile No. (41 22) 740 18 12 or (41 22) 733 54 28. Publications of particular interest include:

- the *PCT Applicant's Guide*, a five-binder loose-leaf publication of more than 1,000 pages (available in English and French from WIPO; also available from other sources in German and in Japanese—contact WIPO for details);
- PCT pamphlets containing the published international applications (in various languages—see paragraph 23, above—containing the title and the abstract (also) in English);
- the *PCT Gazette* (available in English and French);
- the *PCT Newsletter* (available in English);
- booklets containing the text of the PCT and the PCT Regulations (in Arabic, English, French, German, Italian, Portuguese, Russian and Spanish);

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8. Natural persons who are nationals of and reside in the following PCT Contracting States are eligible: 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 and Viet Nam.

- special issues of the *PCT Gazette* (see paragraph 23, above) (in English and French).

32. A leaflet entitled *Basic Facts about the Patent Cooperation Treaty (PCT)* is available free of charge in English, French, German, Portuguese and Spanish.

33. The *ESPACE WORLD* CD-ROMs containing published international applications may be ordered from the European Patent Office, Schottenfeldgasse 29, Postfach 82, A-1072 Vienna, Austria. However, the CD-ROMs containing the international applications published between 1978 and 1989 can be obtained only from WIPO, at the address indicated in paragraph 31, above.

[End]