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# NEWSLETTER

February 1999

No. 02/1999

## PCT-EASY UPDATE

A new version of the PCT-EASY software (version 2.82) has been available since 22 January 1999. It includes all language versions of the software, that is, Chinese, English, French, German, Japanese, Russian and Spanish. The supporting documentation will also be available in those languages shortly.

To obtain the software, you may download it, either from the PCT-EASY home page (<http://pcteasy.wipo.int>) or via the WIPO home page (<http://www.wipo.int>) on the Internet, or you may contact the PCT-EASY Help Desk, as follows:

e-mail: [pcteasy.help@wipo.int](mailto:pcteasy.help@wipo.int)

fax: (41-22) 338 80 40

telephone: (41-22) 338 95 23

## REPUBLIC OF KOREA: NOTIFICATIONS UNDER PCT RULES 49.5(I) AND 76.6

Pursuant to PCT Rules 49.5(I) and 76.6, the Korean Industrial Property Office has notified the International Bureau that, subsequent to its previous notification that the following Rules were incompatible with the national law applied by the Office, the following Rules are now applicable to the Korean Industrial Property Office as designated/elected Office for the national phase:

PCT Rule 49.5(c-bis) (concerning the furnishing of a translation of the claims as filed and/or as amended),

PCT Rule 49.5(k) (concerning the translation of the title of the invention); and

PCT Rule 76.5(iv) (concerning the furnishing of a translation of amendments under PCT Article 19).

## PCT INFORMATION UPDATE

### EP European Patent Office (fees)

As from 2 March 1999, the following fees, payable to the European Patent Office as receiving Office, will be fixed in, and will be able to be paid in, euros (EUR), and new equivalent amounts will be payable in ATS, BEF, DEM, ESP, FIM, FRF, IEP, ITL, NLG, LUF, PTE:

transmittal fee: see Table (Ia) and footnote 7 thereto

fee for priority document: EUR 30

As from that date, there will also be a change in the fees

*[continued on page 2]*

### INSIDE THIS ISSUE

PCT information update <i>[continued]</i> . . . . .	2-3
PCT statistics—1 January to 31 December 1998 . . .	3-4
Practical advice . . . . .	4-5
PCT seminar calendar . . .	5-7
PCT fee tables . . . . .	8-11
PCT Contracting States and two-letter codes . . . . .	12

*Insert:* Information Note:  
"The Patent Cooperation  
Treaty (PCT) in 1998"

[continued from cover page]

payable to that Office as designated and elected Office, as follows:

national basic fee:	EUR	127
designation fee for each EPO Contracting State designated and for the joint designation of Switzerland and Liechtenstein:	EUR	76
claims fee for the 11th and each subsequent claim:	EUR	40
search fee:	EUR	869
surcharge for late payment of the national basic fee, a designation fee or the search fee:		
		50% of the relevant fee, but not to exceed a total of EUR 715

examination fee:	EUR	1,431
surcharge for late filing of the request for examination:		50% of the examination fee
renewal fee for the third year:	EUR	383

These fees, together with the new amounts of fees payable to that Office as receiving Office, will be reflected in pink tear-out provisional sheets for the *PCT Applicant's Guide*, Vol. I/B, Annex C (EP), and Vol. II/A, National Chapter, Summary (EP), to be included in the next issue of the *PCT Newsletter*.

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

For new amounts of fees payable to the European Patent Office as International Searching and Preliminary Examining Authority, see "Search fee" and "Preliminary examination fee," respectively, below.

#### PCT MATERIALS ON INTERNET (<http://www.wipo.int>)

*PCT Gazette\**  
PCT Information Line  
*PCT Newsletter* (Nos. 01/1997–02/1999\*)  
*PCT Applicant's Guide*  
PCT-EASY  
Recent PCT press releases/updates  
PCT Automation Project Overview  
PCT seminar calendar\*  
*Basic Facts about the PCT*  
The PCT in 1998  
About the Treaty  
Text of the Patent Cooperation Treaty  
Status of ratifications  
Text of the Regulations under the PCT  
Administrative Instructions under the PCT (as in force from 1 July 1998)  
PCT Receiving Office Guidelines (as in force from 28 August 1998)  
PCT International Search Guidelines (as in force from 18 September 1998)  
PCT International Preliminary Examination Guidelines (as in force from 9 October 1998)  
Direct filing of PCT applications with the International Bureau as PCT receiving Office  
PCT forms  
PCT Assembly documents: 1997, 1998

\*New or revised since last issue of the *PCT Newsletter*

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#### PCT INFORMATION LINE

Telephone: (41–22) 338 83 38  
Fax: (41–22) 338 83 39  
E-mail: [pct.infoline@wipo.int](mailto:pct.infoline@wipo.int)

#### JP Japan (fees)

As from 15 March 1999, there will be a change in the equivalent amounts of the following fees payable to the Japanese Patent Office as receiving Office:

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

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

#### Search fee (European Patent Office; Japanese Patent Office)

As from 1 March 1999, there will be a change in the equivalent amounts payable in JPY for an international search carried out by the European Patent Office, and in CHF for an international search carried out by the Japanese Patent Office, as indicated in Table I(b).

As from 2 March 1999, the amount payable for an international search carried out by the European Patent Office will be fixed in, and will be able to be paid in, euros, and new equivalent amounts will be payable in ATS, BEF, DEM, ESP, FIM, FRF, IEP, ITL, NLG, LUF, PTE, as indicated in Table I(b). These

amounts will be reflected in the pink tear-out provisional sheet for the *PCT Applicant's Guide*, Vol. I/B, Annex D (EP), to be included in the next issue of the *PCT Newsletter*.

As from 1 April 1999, there will be a change in the equivalent amount payable in ISK for an international search carried out by the European Patent Office, as indicated in Table I(b).

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

**Preliminary examination fee (European Patent Office)**

As from 2 March 1999, the amount payable for an international preliminary examination carried out by the European Patent Office will be fixed in, and will be able to be paid in, euros, and new equivalent amounts will be payable in ATS, BEF, DEM, ESP, FIM, FRF, IEP, ITL, NLG, LUF, PTE, as indicated in Table II. These amounts will be reflected in

the pink tear-out provisional sheet for the *PCT Applicant's Guide*, Vol. I/B, Annex E (EP), to be included in the next issue of the *PCT Newsletter*.

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

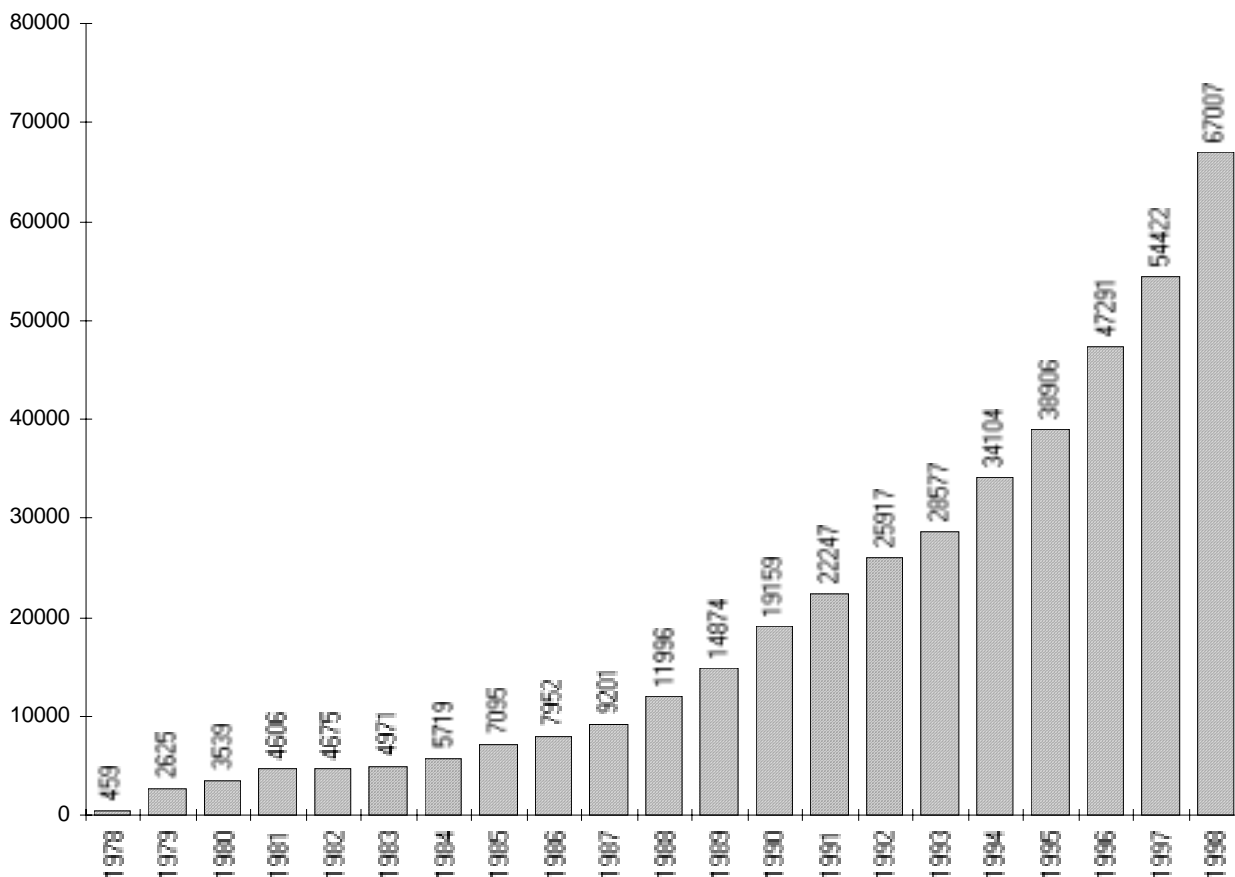
**Handling fee (Japanese Patent Office)**

As from 15 March 1999, there will be a change in the equivalent amount of the handling fee, payable in JPY to the Japanese Patent Office as International Preliminary Examining Authority, as indicated in Table II.

**PCT STATISTICS —  
1 January to 31 December 1998**

In 1998, the International Bureau of WIPO received 67,007 international applications, filed with PCT receiving Offices worldwide, which is 12,585 (23.1%) more than in 1997. The graph below shows the number

**Number of international applications received since 1978**



**PCT filings  
by country of origin (1998)**

<i>Country of origin</i>	<i>Applications received</i>	<i>% of total</i>
US	28,356	42.3
DE	9,112	13.6
JP	6,098	9.1
GB	4,383	6.5
FR	3,322	5.0
SE	2,554	3.8
NL	2,065	3.1
CA	1,315	2.0
CH (incl. LI)	1,293	1.9
FI	1,092	1.6
Other countries* bound by the PCT	7,417	11.1
	67,007	100.00

\* 87 at the end of December 1998

of international applications received each year since 1978.

The 67,007 international applications received in 1998 had the effect of 2,542,343 national applications, and of 169,424 regional applications which would be equivalent to 2,264,654 applications for patent protection in the member States of the regional patent systems, that is, a notional equivalent effect, in total, of 4,806,997 national applications.

The table above shows the top 10 countries of origin of international applications for that period. (Note that 15.6% of the applications received were filed with either the European Patent Office or the International Bureau as receiving Offices; those filings, as well as filings received from the other regional patent Offices as receiving Offices, are included in the figures relating to the country of residence of the applicant.)

The number of demands for international preliminary examination also increased in 1998. The total received was 48,193, which represents an increase over 1997 of 19.3%.

Further statistics, as well as information on the main events which occurred in 1998 in relation to the PCT, are contained in the Information Note "The Patent Cooperation Treaty (PCT) in 1998," which is inserted in this issue, and which can also be viewed on the WIPO Internet site.

## PRACTICAL ADVICE

### ***Unavailability of applicant/inventor to sign the international application***

*Q: I am the agent for a PCT application in which all PCT Contracting States have been designated. The applicant company, which is applicant for all designated States except the United States of America (US), has signed the request, and in so doing, has appointed me as agent. However, the (only) inventor, who must appear in the application as applicant/inventor for the US designation, is no longer employed by the applicant company, and cannot be found. It has therefore not been possible to obtain his signature of the application. Bearing in mind that an international application must be signed by all applicants, is there any action I can take to rectify this situation, or will the application be considered withdrawn for lack of signature?*

*A: According to PCT Article 14(1)(a)(i) and Rule 4.15(a), the request must be signed by the applicant or, if there is more than one applicant, by all of them. There is, however, a procedure under PCT Rule 4.15(b) which makes an exception to that Rule. PCT Rule 4.15(b) provides that, where there are two or more applicants and where an applicant/inventor for the designation of a State whose national law requires that national applications be filed by the inventor (the United States of America is the only such Contracting State) refused to sign the request or could not be found or reached after diligent effort, the request need not be signed by that applicant/inventor if it is signed by at least one applicant and a statement is furnished explaining, to the satisfaction of the receiving Office, the lack of the signature concerned.*

The statement explaining the lack of signature can be furnished together with the

request, in which case the respective check box in the check list of Box No. VIII of the request form should be marked ("statement explaining lack of signature"). Otherwise, it must be furnished in response to the Invitation to Correct Defects (Form PCT/RO/106), insofar as it will relate to the lack of signature (see PCT Article 14(1)(a)(i) and (b)). If a statement explaining the lack of signature is to be furnished instead of the signature, it must be filed within the time limit set in the invitation; this time limit will be at least one month from the date of the invitation, and may be extended by the receiving Office (PCT Rule 26.2). Upon receipt of the statement explaining the lack of signature, the receiving Office will decide whether or not it is satisfactory.

If it decides in the negative (or if no statement is furnished), the international application may be considered withdrawn by the receiving Office (see PCT Article 14(1)(b)).

If it decides in the affirmative, PCT Article 14(1)(a)(i) will be complied with, notwithstanding the lack of the signature concerned. In that case, subsequently filed documents in connection with the application will, in general, also not need to be signed by that applicant.

Note, however, that as far as the national phase in the US is concerned, additional proofs may be required by the United States Patent and Trademark Office (USPTO) after entry into the national phase if the required oath or declaration by the inventor (see the *PCT Applicant's Guide*, Vol. II/C, National Chapter, Summary (US)) is not signed by all the applicant/inventors. It is recommended, therefore, to keep in mind the requirements of the USPTO already at the time the statement under PCT Rule 4.15(b) is prepared.

For further details on the question of signature of an applicant/inventor for the designation of the US, see PCT Rules 53.8(b), 56.1(c), and 90*bis*.5(b).

### PCT SEMINAR CALENDAR

Dates and Location	Language of seminar	Nature of seminar WIPO speakers (and others where known)	Organizer and contact numbers
25–26 February 1999 San Francisco (US)	English	Basic PCT seminar for patent administrators WIPO speakers: Mrs. Coeckelberas and Mr. Maassel	Intellectual Property International (Ms. Virginia H. Meyer) Tel: (1-415) 289 74 71 Fax: (1-415) 331 60 68 E-mail: IPI@IPISeminars.com Internet: www.ipiseminars.com
2 March 1999 St. Louis (US)	English	PCT seminar WIPO speakers: Mrs. Coeckelberas and Mr. Maassel	Bar Association of Metropolitan St. Louis (BAMSL) Ms. Gwendolyn Byrd Tel: (1-314) 421 41 34 Fax: (1-314) 421 00 13
3 March 1999 Copenhagen (DK)	English	Basic PCT seminar for patent attorneys WIPO speaker: Ms. Boutillon	Centre d'études internationales de la propriété industrielle (CEPI) and the Danish Patent Office (Ms. Inge-Lise Høvbøve) Tel.: (45-43) 50 80 00 Fax: (45-43) 50 80 01

[continued on next page]

<b>PCT SEMINAR CALENDAR [continued]</b>			
<b>Dates and 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>3–4 March 1999 Chicago (US)</b>	English	Basic PCT seminar for patent administrators WIPO speakers: Mrs. Coeckelberas and Mr. Maassel	John Marshall Law School (Mr. Gary T. Watson) Tel: (1–312) 987 14 20 Fax: (1–312) 427 71 28 E-mail: 6cangian@jmls.edu
<b>4–5 March 1999 Pretoria (ZA)</b>	English	WIPO national seminar on the PCT WIPO speakers: Mr. Thomas and Mr. Reischle	Directorate Patents, Trade Marks, Copyright and Designs (Mr. McDonald Netshitenzhe) Tel: (27–12) 310 87 00 Fax: (27–12) 323 42 57
<b>24 March 1999 Washington, D.C. (US)</b>	English	Seminar on the Eurasian PCT procedure WIPO speaker: Mr. Trousov	Intellectual Property Owner (Mr. Herbert Wamsley) Tel: (1–202) 466 63 91 Fax: (1–202) 466 28 93 E-mail: herb@ipo.org
<b>25–26 March 1999 Montevideo (Uruguay)</b>	Spanish	WIPO/EPO/SPTO/DNPI Regional Seminar on the PCT for Latin American Countries WIPO speakers: Mr. Rubio and Mr. Toledo	Dirrección Nacional de la Propiedad Industrial (Ms. Rosario Moreira) Tel: (598–2) 93 09 23 Fax: (598–2) 93 11 40
<b>26 March 1999 New York (US)</b>	English	Seminar on the Eurasian PCT procedure WIPO speaker: Mr. Trousov	The Harriman Institute–Columbia University (Ms. Susan Gold) Tel: (1–212) 854 46 23 or 46 97 Fax: (1–212) 666 34 81 E-mail: bak16@columbia.edu
<b>30 March 1999 Chicago (US)</b>	English	Seminar on the Eurasian PCT procedure WIPO speaker: Mr. Trousov	The John Marshall Law School (Mr. Michael Sena) Tel: (1–312) 987 14 46 Fax: (1–312) 427 54 65 e-mail: 7seng@jmls.edu
<b>29–30 March 1999 Budapest (HU)</b>	English	Advanced PCT seminar WIPO speakers: Mr. Thomas and Mr. Reischle	Hungarian Patent Office (Mr. Laszlo Bretz) Tel: (36–1) 331 27 23 or (36–1) 312 44 00 ext 407 Fax: (36–1) 331 27 23
<b>31 March (p.m.)– 1 April 1999 Ecully (FR)</b>	French	PCT seminar for patent attorneys WIPO speaker: Ms. Boutillon	Centre Paul Roubier (Mrs. Audi) Tel: (33–478) 33 07 08 Fax: (33–478) 33 58 96
<b>1 April 1999 San Francisco (US)</b>	English	Seminar on the Eurasian PCT procedure WIPO speaker: Mr. Trousov	Intellectual Property International (Ms. Virginia H. Meyer) and the Golden Gate University School of Law Tel: (1–415) 289 74 71 Fax: (1–415) 331 60 68 E-mail: IPI@IPISeminars.com Internet: www.ipiseminars.com

*[continued on next page]*

<b>PCT SEMINAR CALENDAR [continued]</b>			
<b>Dates and 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>14–15 April 1999 London (GB)</b>	English	Basic PCT seminar for administrative assistants "Working with the PCT" WIPO speakers: Ms. Boutillon and Mrs. Coeckelbergs	Management Forum Ltd Tel: (44–1483) 57 00 99 Fax: (44–1483) 53 64 24 E-mail: management_forum@psilink.co.uk
<b>16 April 1999 London (GB)</b>	English	PCT symposium for patent attorneys WIPO speakers: Ms. Boutillon	Management Forum Ltd Tel: (44–1483) 57 00 99 Fax: (44–1483) 53 64 24 E-mail: management_forum@psilink.co.uk
<b>21 April 1999 Munich (DE)</b>	German	PCT seminar for patent attorneys WIPO speakers: Mr. Matthes and Mrs. Coeckelbergs	Forum Institut für Management GmbH Tel: (49–6221) 500 500 Fax: (49–6221) 500 505 E-mail: Management@Forum-Institut.de
<b>22–23 April 1999 Munich (DE)</b>	German	Basic PCT seminar for patent administrators WIPO speakers: Mr. Matthes and Mrs. Coeckelbergs	Forum Institut für Management GmbH Tel: (49–6221) 500 500 Fax: (49–6221) 500 505 E-mail: Management@Forum-Institut.de
<b>25–27 April 1999 Miami (US)</b>	English	PCT seminar for patent attorneys "Basic Patent Cooperation Treaty Practice" WIPO speakers: Ms. Boutillon, Mr. Bartels and Mr. Maassel	Patent Resources Group, Inc. Tel: (1–804) 296 39 00 Fax: (1–804) 296 39 99
<b>29 April–1 May 1999 Miami (US)</b>	English	PCT seminar for patent attorneys "Advanced Patent Cooperation Treaty Practice" WIPO speakers: Ms. Boutillon, Mr. Bartels and Mr. Maassel Other speaker: Mr. Philpott (European Patent Office) and Mr. Welch (Eli Lilly)	Patent Resources Group, Inc. Tel: (1–804) 296 39 00 Fax: (1–804) 296 39 99
<b>10 June 1999 Paris (FR)</b>	French	Basic seminar on PCT procedures for patent administrators	Institut national de la propriété industrielle (INPI) (Mrs. Christiane Sadrin) Tel: (33) 1 53 04 55 76 or (Mr. Jean-Pierre Cardon) Tel: (33) 1 53 04 52 70 Fax: (33) 1 42 93 63 52
<b>17 June 1999 Paris (FR)</b>	French	PCT presentation for patent attorneys and patent administrators WIPO speaker: Ms. Boutillon Other speakers: M. Catherine (Cabinet Casalonga Josse), M. Mousseron (Faculté de Droit de Montpellier)	Fondation Nationale pour le Droit de l'Entreprise (FNDE) and Association Française des Spécialistes en Propriété Industrielle de l'Industrie (ASPI) (Mme Heuzé) Tel: (33–1) 42 66 18 19 Fax: (33–1) 42 66 17 37

### 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 to variations in the fees themselves or fluctuations in exchange rates. The total amount of the basic fee and designation fee may be reduced by CHF 200 under certain circumstances where the request is prepared using the PCT-EASY software; see footnote 2 for details. A 75% reduction in the basic fee, the supplement per sheet over 30, the designation fee and the handling fee, as well as the transmittal fee payable to the International Bureau as receiving Office, is available to applicants from certain States; see footnote 3 for details. (Note that if both the CHF 200 reduction and the 75% reduction are applicable, the 75% reduction is calculated *after* the CHF 200 reduction.) Footnotes to all Fee Tables follow Table II.

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

(as at 1 February 1999, unless otherwise indicated)

RO	Transmittal fee <sup>1</sup>	Basic fee <sup>1,2,3</sup> (CHF 650)	Supplement per sheet over 30 <sup>1,2,3</sup> (CHF 15)	Designation fee <sup>1,2,3,4</sup> (CHF 150)	Competent ISA(s) <sup>5</sup>
AL	ALL 9,000	CHF 650	15	150	EP
AM	AMD 32,000	USD 455	10	105	EP RU
AP	USD 30 (or equiv in local currency)	USD 455	10	105	AT EP SE
AT	ATS 700	ATS 5,600	130	1,300	EP
AU	AUD 100	AUD 722	17	166	AU
AZ	AZM <sup>6</sup> —	USD 455	10	105	EP RU
BA	DEM 50	DEM 800	19	184	EP
BE	BEF 1,500	BEF 16,500	380	3,800	EP
BG	BGL 60,000	BGL equiv of CHF 650	equiv of CHF 15	equiv of CHF 150	EP RU
BR	BRR 236	BRR equiv of CHF 650	equiv of CHF 15	equiv of CHF 150	AT EP SE US
BY	BYR equiv of USD 70	USD 455	10	105	EP RU
CA	CAD 200	CAD 721	17	166	EP
CH	CHF 100	CHF 650	15	150	EP
CN	CNY 500	CNY equiv of CHF 650	equiv of CHF 15	equiv of CHF 150	CN
CU	USD (or CUP equiv) 200	USD (or CUP equiv) 455	10	105	AT EP ES RU
CY	CYP 75	CYP 250	6	60	EP
CZ	CZK 1,500	CZK equiv of CHF 650	equiv of CHF 15	equiv of CHF 150	EP
DE	DEM 150	DEM 800	19	184	EP
DK	DKK 1,500	DKK 3,050	70	710	EP SE
EA	RUR equiv of USD 50	USD 455	10	105	EP RU
EE	EEK 1,800	EEK equiv of CHF 650	equiv of CHF 15	equiv of CHF 150	EP
EP <sup>7</sup>	DEM 200 (from 2.3.99 EUR 102)	DEM 800	19	184	EP
ES	ESP 10,040	ESP 68,000	1,600	16,000	EP ES
FI	FIM 800	FIM 2,400	55	550	EP SE
FR	FRF 400	FRF 2,690	60	620	EP

[continued on next page]



**Table I(a) — TRANSMITTAL, BASIC AND DESIGNATION FEES** [continued]  
(as at 1 February 1999, unless otherwise indicated)

RO	Transmittal fee <sup>1</sup>	Basic fee <sup>1,2,3</sup> (CHF 650)	Supplement per sheet over 30 <sup>1,2,3</sup> (CHF 15)	Designation fee <sup>1,2,3,4</sup> (CHF 150)	Competent ISA(s) <sup>5</sup>
GB	GBP 55	GBP 285	6	65	EP
GE	GEL <sup>6</sup> —	USD 455	10	105	EP RU
GH	GHC <sup>8</sup> 2,500 or 5,000	USD 455	10	105	AT AU CN EP SE
GR	GRD 39,500	GRD 127,000	3,000	30,000	EP
HR	HRK 200	HRK equiv of CHF 650	equiv of CHF 15	equiv of CHF 150	EP
HU	HUF <sup>9</sup> 10,000	HUF equiv of CHF 650	equiv of CHF 15	equiv of CHF 150	EP RU
IB	CHF <sup>3</sup> 300 or USD <sup>3</sup> 200	CHF 650 or USD 455	15 10	150 105	See footnote <sup>10</sup>
ID	IDR <sup>6</sup> —	IDR equiv of CHF 650	equiv of CHF 15	equiv of CHF 150	AU EP RU
IE	IEP 60	IEP 300	7	70	EP
IL	ILS 402	USD 455	10	105	EP US
IN	INR 5,000	USD 455	10	105	AT AU CN EP US
IS	ISK 5,500	ISK 32,000	700	7,400	EP SE
IT	ITL 60,000	ITL 783,000	18,000	181,000	EP
JP	JPY 18,000	JPY 62,800 (from 15.3.99: JPY 54,800)	1,450 (1,300)	14,500 (12,600)	EP JP
KE	USD (or KES equiv) 30	USD 455	10	105	AT AU CN EP SE
KG	KGS equiv of USD 100	USD 455	10	105	EP RU
KP	KPW equiv of CHF 50	KPW equiv of CHF 650	equiv of CHF 15	equiv of CHF 150	AT RU
KR	KRW 45,000	KRW equiv of CHF 650	equiv of CHF 15	equiv of CHF 150	AT AU JP
KZ	KZT <sup>6</sup> —	USD 455	10	105	EP RU
LR	USD 45	USD 455	10	105	AT AU CN EP SE
LS	LSM <sup>6</sup> —	LSM equiv of CHF 650	equiv of CHF 15	equiv of CHF 150	AT EP
LT	LTL equiv of USD 80	USD 455	10	105	EP RU
LU	LUF/BEF 800	LUF/BEF 16,500	380	3,800	EP
LV	LVL 40	USD 455	10	105	EP RU
MC	FRF 320	FRF 2,690	60	620	EP
MD	MDL <sup>6</sup> 180	USD 455	10	105	EP RU
MK	MKD 2,750	MKD equiv of CHF 650	equiv of CHF 15	equiv of CHF 150	EP
MN	None	CHF 650	15	150	EP RU
MW	MWK 150	MWK 11,600	270	2,700	EP
MX	MXP <sup>3</sup> equiv of USD 200	MXP equiv of CHF 650	equiv of CHF 15	equiv of CHF 150	EP ES SE US

[continued on next page]

Table I(a) — TRANSMITTAL, BASIC AND DESIGNATION FEES [continued]

(as at 1 February 1999, unless otherwise indicated)

RO	Transmittal fee <sup>1</sup>	Basic fee <sup>1,2,3</sup> (CHF 650)	Supplement per sheet over 30 <sup>1,2,3</sup> (CHF 15)	Designation fee <sup>1,2,3,4</sup> (CHF 150)	Competent ISA(s) <sup>5</sup>
NL	NLG 110	NLG 900	21	208	EP
NO	NOK 500	NOK 3,300	75	770	EP SE
NZ	NZD 155	NZD 850	20	196	AU EP US
PL	PLZ 240	PLZ equiv of CHF 650	equiv of CHF 15	equiv of CHF 150	EP
PT	PTE 4,650	PTE 82,000	1,900	19,000	EP
RO	ROL 300,000	CHF 650	15	150	AT EP RU
RU	RUR 294	USD 455	10	105	EP RU
SD	SDP 50	SDP equiv of CHF 650	equiv of CHF 15	equiv of CHF 150	EP
SE	SEK 1,000	SEK 3,500	80	800	EP SE
SG	SGD 135	SGD 820	20	190	AT AU EP
SI	SIT 22,000	SIT equiv of CHF 650	equiv of CHF 15	equiv of CHF 150	EP
SK	SKK 1,600	SKK equiv of CHF 650	equiv of CHF 15	equiv of CHF 150	EP
TJ	TJR <sup>6</sup> —	USD 455	10	105	EP RU
TM	USD <sup>6</sup> —	USD 455	10	105	EP RU
TR	CHF 100	CHF 650	15	150	AT AU CN EP RU
TT	TTD 750	USD 455	10	105	AT EP SE US
UA	UAH 255	USD 455	10	105	EP RU
US	USD 240	USD 455	10	105	EP US
UZ	USD <sup>6</sup> —	USD 455	10	105	EP RU
VN	VND equiv of USD 150	VND equiv of CHF 650	equiv of CHF 15	equiv of CHF 150	AT AU EP RU SE
YU	YUD 220	CHF 650	15	150	EP
ZW	ZWD 550	ZWD equiv of USD 455	equiv of USD 10	equiv of USD 105	AT AU CN EP RU

Table I(b) — SEARCH FEES

(as at 1 February 1999, unless otherwise indicated)

ISA	Search fee <sup>1</sup>										
AT	ATS 2,200	CHF 250	SGD 313	USD 180							
AU	AUD 800	CHF 619	NZD 910	SGD 875	USD 488						
CN	CNY 800	CHF 140	USD 100								
EP <sup>11</sup>	DEM* 2,200	CYP 671	FRF* 7,590	ISK** 87,300	MWK 32,600	PTE* 227,800					
	ATS* 15,710	DKK 8,640	GBP 812	ITL* 2,222,000	NLG* 2,510	SEK 10,730					
	BEF* 46,100	ESP* 189,700	GRD 392,900	JPY*** 167,000	NOK 9,800	SGD 2,270					
	CAD 2,088	FIM* 6,770	IEP* 902	LUF* 46,100	NZD 2,460	USD 1,338					
	CHF 1,850										
	(*from 2.3.99:	EUR 1,124	DEM 2,198.35	FRF 7,372.96	LUF 45,342						
		ATS 15,466.58	ESP 187,018	IEP 885.22	NLG 2,476.97						
		BEF 45,342	FIM 6,683	ITL 2,176,367	PTE 225,341.80)						
	(**from 1.4.99: ISK 94,000)										
	(***from 1.3.99: JPY 149,000)										
ES	ESP 76,520	CHF 724	USD 494								
JP	JPY 77,000	CHF* 810	USD 644	(*from 1.3.99:	CHF 923)						
RU <sup>12</sup>	USD 300	CHF 430									
SE	SEK 6,200 <sup>13</sup>	6,800 <sup>14</sup>	FIM 4,200 <sup>13</sup>	4,600 <sup>14</sup>	USD 815 <sup>13</sup>	895 <sup>14</sup>					
	CHF 1,180 <sup>13</sup>	1,290 <sup>14</sup>	ISK 58,500 <sup>13</sup>	64,000 <sup>14</sup>							
	DKK 5,300 <sup>13</sup>	5,800 <sup>14</sup>	NOK 5,750 <sup>13</sup>	6,300 <sup>14</sup>							
US	USD 700	450 <sup>15</sup>	CHF 930	600 <sup>15</sup>	NZD 1,340	862 <sup>15</sup>					

Table II — PRELIMINARY EXAMINATION FEES

(as at 1 February 1999, unless otherwise indicated)

IPEA	Preliminary examination fee <sup>16</sup>			Handling fee <sup>3,16</sup> (CHF 233)		
AT	ATS	2,200		ATS	2,020	
AU	AUD	450		AUD	260	
CN	CNY	800		CNY equiv of CHF 233		
EP <sup>11</sup>	DEM*	3,000	ESP*	258,600	ITL*	3,030,000
	ATS*	21,430	FIM*	9,230	LUF*	62,900
	BEF*	62,900	FRF*	10,340	NLG*	3,430
	CHF	2,520	GBP	1,107	PTE*	310,600
	CYP	915	GRD	535,700	SEK	14,630
	DKK	11,790	IEP*	1,230		
	(*from 2.3.99:					
	EUR	1,533	ESP	255,070	ITL	2,968,302
	ATS	21,094.54	FIM	9,114.80	LUF	61,841
	BEF	61,841	FRF	10,055.82	NLG	3,378.29
	DEM	2,998.29	IEP	1,207.34	PTE	307,388.90
JP	JPY	28,000		JPY	22,500	(from 15.3.99: JPY 19,600)
RU <sup>12</sup>	USD	200 <sup>17</sup>	300 <sup>18</sup>	USD	162	
SE	SEK	4,200		SEK	1,250	
US	USD	490	750 <sup>19</sup>	USD	162	

## Key to currency abbreviations for all fee tables:

ALL	Albanian lek	CZK	Czech koruna	IDR	Indonesian rupiah	LUF	Luxembourg franc	SDP	Sudanese pound
AMD	Armenian dram	DEM	Deutsche mark	IEP	Irish pound	LVL	Latvian lat	SEK	Swedish krona
ATS	Austrian schilling	DKK	Danish krone	ILS	New Israel shekel	MDL	Moldovan leu	SGD	Singapore dollar
AUD	Australian dollar	EEK	Estonian kroon	INR	Indian rupee	MKD	Macedonian denar	SIT	Slovenian tolar
AZM	Azerbaijani manat	ESP	Spanish peseta	ISK	Icelandic krona	MWK	Malawian kwacha	SKK	Slovak koruna
BEF	Belgian franc	EUR	Euro	ITL	Italian lira	MXP	Mexican peso	TJR	Tajik rouble
BGL	Bulgarian lev	FIM	Finnish markka	JPY	Japanese yen	NLG	Netherlands guilder	TTD	Trinidad and Tobago dollar
BRR	Brazilian real	FRF	French franc	KES	Kenyan shilling	NOK	Norwegian krone	UAH	Ukrainian hryvnia
BYR	Belarusian rouble	GBP	Pound sterling	KGS	Kyrgyz som	NZD	New Zealand dollar	USD	US dollar
CAD	Canadian dollar	GEL	Georgian lari	KPW	KP won	PLZ	Polish zloty	VND	Vietnamese dong
CHF	Swiss franc	GHC	Ghanaian cedi	KRW	KR won	PTE	Portuguese escudo	YUD	Yugoslavian dinar
CNY	Yuan renminbi	GRD	Greek drachma	KZT	Kazakh tenge	ROL	Romanian leu	ZWD	Zimbabwe dollar
CUP	Cuban convertible peso	HRK	Croatian kuna	LSM	Lesotho loti	RUR	Russian rouble		
CYP	Cyprus pound	HUF	Hungarian forint	LTL	Lithuanian litas				

## Footnotes for all fee tables:

<sup>1</sup> Payable to the receiving Office in the currency or one of the currencies prescribed by it.

<sup>2</sup> The total amount of the basic fee and designation fee is, as from 1 January 1999, reduced by 200 Swiss francs (equivalent to: ATS 1,720, AUD 222, BEF 5,100, CAD 220, CYP 75, DEM 246, DKK 940, ESP 20,900, FIM 740, FRF 830, GBP 88, GRD 39,100, IEP 92, ISK 9,800, ITL 241,000, JPY 19,300, KRW 220,300, LUF 5,100, MKW 3,600, NLG 277, NOK 1,020, NZD 262, PTE 25,200, SEK 1,080, SGD 250 and USD 140) where: (a) the request is presented as a computer print-out prepared using the PCT-EASY software; (b) the request is filed together with a computer diskette, prepared using that software, containing a copy in electronic form of the data contained in the request and of the abstract; and (c) the international application is filed with a receiving Office which is prepared to accept the filing of international applications containing requests in PCT-EASY format together with PCT-EASY diskettes.

<sup>3</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 Albania, Armenia, Azerbaijan, Belarus, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cameroon, Central African Republic, Chad, China, Congo, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Democratic People's Republic of Korea, Estonia, Gabon, Gambia, Georgia, Ghana, Grenada, Guinea, Guinea-Bissau, Hungary, India, Indonesia, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Lesotho, Liberia, Lithuania, Madagascar, Malawi, Mali, Mauritania, Mexico, Mongolia, Niger, Poland, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Senegal, Sierra Leone, Slovakia, South Africa (from 16 March 1999), Sri Lanka, Sudan, Swaziland, Tajikistan, The former Yugoslav Republic of Macedonia, Togo, Turkey, Turkmenistan, Uganda, Ukraine, Uzbekistan, Viet Nam, Yugoslavia or Zimbabwe. For further details, see *PCT Newsletter* No. 10/1995, cover page, No. 11/1995, page 6, and No. 05/1996, cover page.

<sup>4</sup> The confirmation fee payable under PCT Rules 4.9(c) and 15.5 is 50% of the designation fee due (taking into account any applicable 75% reduction; see footnote 3).

<sup>5</sup> For the search fee payable to the receiving Office, consult the entry in Table I(b) for the competent International Searching Authority.

<sup>6</sup> 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.

<sup>7</sup> The amounts of the transmittal fee in currencies other than DEM are as follows: ATS 1,430, BEF/LUF 4,200, CHF 170, CYP 61, DKK 790, ESP 17,200, FIM 620, FRF 690, GBP 74, GRD 35,700, IEP 82, ITL 202,000, NLG 230, PTE 20,700, SEK 980. The amounts in those currencies of the basic fee, supplement per sheet over 30 and designation fee are the same as those indicated for the receiving Offices of the respective States, that is RO/AT, BE, CH, etc. As from 2 March 1999, the amount of the transmittal fee will be EUR 102 and new equivalent amounts will be payable in certain currencies, as follows: ATS 1,403.55, BEF 4,115, DEM 199.49, ESP 16,971, FIM 606.46, FRF 669.08, IEP 80.33, ITL 197,500, LUF 4,115, NLG 224.78, PTE 20,449.20.

<sup>8</sup> The first amount of the transmittal fee is applicable to individuals or entities employing less than 25 persons. The second amount is applicable to entities employing 25 persons or more.

<sup>9</sup> A supplement of HUF 500 is also payable for each claim in excess of 10.

<sup>10</sup> 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. See also *PCT Applicant's Guide*, Vol. I/B, Annex C (IB).

<sup>11</sup> Nationals (natural or legal persons) of States which fulfill the requirements for the corresponding reduction of certain PCT fees as specified in the Schedule of Fees annexed to the PCT Regulations (see also footnote 3) may be eligible for reductions in the search and preliminary examination fees. For details, including the amount of the fee reduction and applicable conditions, see *PCT Applicant's Guide*, Vol. I/B, Annexes D (EP) and E (EP). The list of countries concerned is indicated in footnote 3.

<sup>12</sup> The applicant may, instead of paying the USD amount, pay the equivalent amount in RUR at the exchange rate applicable on the date of payment at the Central Bank of the Russian Federation, provided that, in the case of the search fee, the receiving Office accepts payment in RUR.

<sup>13</sup> If, on an earlier application, the priority of which is claimed, a search report has been issued by the Swedish Patent Office, the Danish Patent Office, the National Board of Patents and Registration (Finland), the Norwegian Patent Office or the Icelandic Patent Office.

<sup>14</sup> In all cases where footnote 13 does not apply.

<sup>15</sup> Payable when a corresponding prior US national application has been filed and the basic national fee for that US application has been paid.

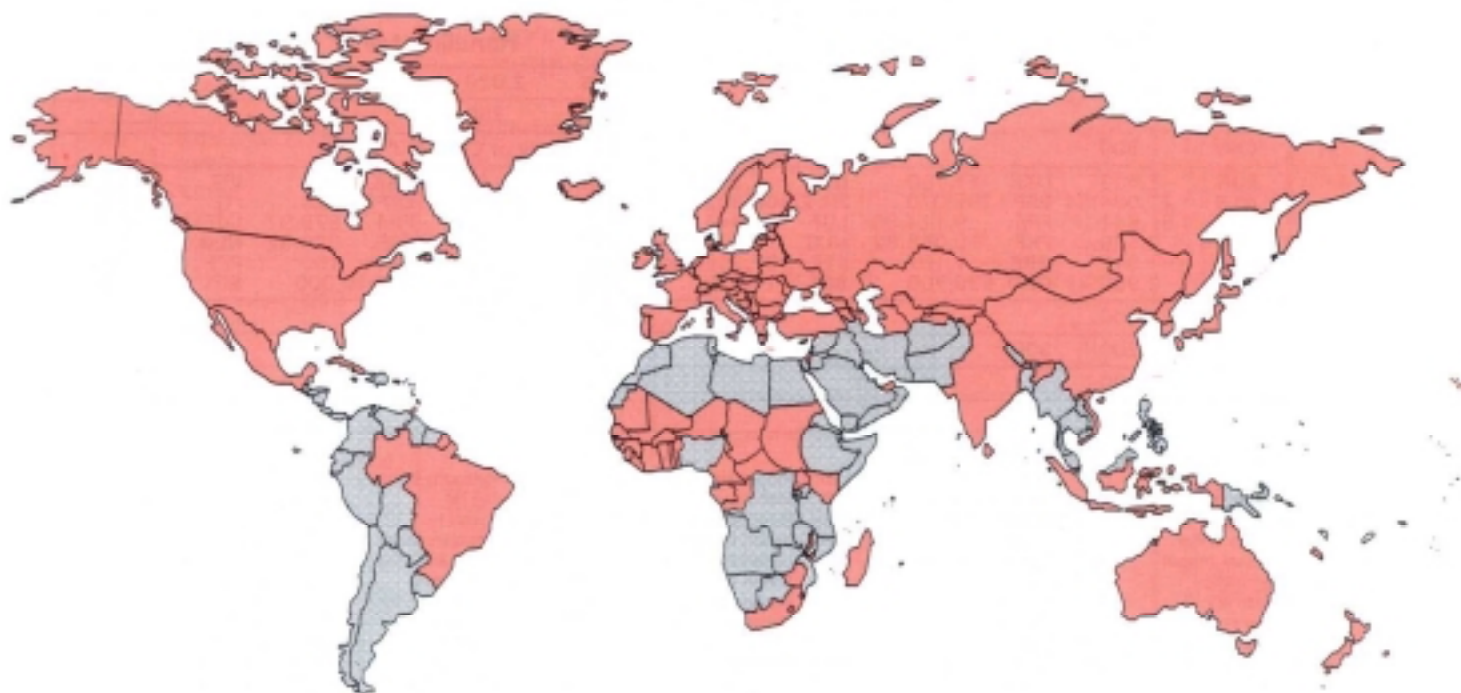
<sup>16</sup> Payable to the International Preliminary Examining Authority in the currency or one of the currencies prescribed by it.

<sup>17</sup> Payable when the international search report was established by the Russian Patent Office.

<sup>18</sup> In all cases where footnote 17 does not apply.

<sup>19</sup> Payable when the international search was not carried out by the United States Patent and Trademark Office (USPTO) (provided that the USPTO is a competent International Preliminary Examining Authority in the particular case—see *PCT Applicant's Guide*, Vol. I/B, Annex C.)

## PCT CONTRACTING STATES AND TWO-LETTER CODES (100 on 1 February 1999)



<b>AE</b> <b>United Arab Emirates</b> (from 10 March 1999)	CM Cameroon (OA) <sup>2</sup>	ID Indonesia	MD Republic of Moldova (EA)	SI Slovenia <sup>1</sup>
AL Albania <sup>1</sup>	CN China	IE Ireland (EP) <sup>2</sup>	MG Madagascar	SK Slovakia
AM Armenia (EA)	CU Cuba	IL Israel	MK The former Yugoslav Republic of Macedonia <sup>1</sup>	SL Sierra Leone
AT Austria (EP)	CY Cyprus (EP) <sup>2</sup>	IN India	ML Mali (OA) <sup>2</sup>	SN Senegal (OA) <sup>2</sup>
AU Australia	CZ Czech Republic	IS Iceland	MN Mongolia	SZ Swaziland (AP) <sup>2</sup>
AZ Azerbaijan (EA)	DE Germany (EP)	IT Italy (EP) <sup>2</sup>	MR Mauritania (OA) <sup>2</sup>	TD Chad (OA) <sup>2</sup>
BA Bosnia and Herzegovina	DK Denmark (EP)	JP Japan	MW Malawi (AP)	TG Togo (OA) <sup>2</sup>
BB Barbados	EE Estonia	KE Kenya (AP)	MX Mexico	TJ Tajikistan (EA)
BE Belgium (EP) <sup>2</sup>	ES Spain (EP)	KG Kyrgyzstan (EA)	NE Niger (OA) <sup>2</sup>	TM Turkmenistan (EA)
BF Burkina Faso (OA) <sup>2</sup>	FI Finland (EP)	KP Democratic People's Republic of Korea	NL Netherlands (EP) <sup>2</sup>	TR Turkey
BG Bulgaria	FR France (EP) <sup>2</sup>	KR Republic of Korea	NO Norway	TT Trinidad and Tobago
BJ Benin (OA) <sup>2</sup>	GA Gabon (OA) <sup>2</sup>	KZ Kazakhstan (EA)	NZ New Zealand	UA Ukraine
BR Brazil	GB United Kingdom (EP)	LC Saint Lucia	PL Poland	UG Uganda (AP)
BY Belarus (EA)	GD Grenada	LI Liechtenstein (EP)	PT Portugal (EP)	US United States of America
CA Canada	GE Georgia	LK Sri Lanka	RO Romania <sup>1</sup>	UZ Uzbekistan
CF Central African Republic (OA) <sup>2</sup>	GH Ghana (AP)	LR Liberia	RU Russian Federation (EA)	VN Viet Nam
CG Congo (OA) <sup>2</sup>	GM Gambia (AP)	LS Lesotho (AP)	SD Sudan (AP)	YU Yugoslavia
CH Switzerland (EP)	GN Guinea (OA) <sup>2</sup>	LT Lithuania <sup>1</sup>	SE Sweden (EP)	<b>ZA</b> <b>South Africa</b> (from 16 March 1999)
CI Côte d'Ivoire (OA) <sup>2</sup>	GR Greece (EP) <sup>2</sup>	LU Luxembourg (EP)	SG Singapore	ZW Zimbabwe (AP)
	GW Guinea-Bissau (OA) <sup>2</sup>	LV Latvia <sup>1</sup>		
	HR Croatia	MC Monaco (EP) <sup>2</sup>		
	HU Hungary			

<sup>1</sup> Extension of European patent possible.

<sup>2</sup> May only be designated for a regional patent (the "national route" via the PCT has been closed).

Where a State can be designated for a regional patent, the two-letter code for the regional patent concerned is indicated in parentheses (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 for the purposes of a national patent, 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 form (PCT/RO/101) and demand form (PCT/IPEA/401), new versions of which are normally issued twice yearly. The latest versions are dated January 1999. The forms are reproduced in Annexes X and Y, respectively, in Vol. I/B of the *PCT Applicant's Guide* (January 1999 update), and can be printed from the WIPO Internet site, in PDF format, at: <http://www.wipo.int/eng/pct/forms/index.htm>. 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.

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المنظمة العالمية للملكية الفكرية

ВСЕМИРНАЯ ОРГАНИЗАЦИЯ  
ИНТЕЛЛЕКТУАЛЬНОЙ СОБСТВЕННОСТИ

Geneva, February 5, 1999

## INFORMATION NOTE

### The Patent Cooperation Treaty (PCT) in 1998

The World Intellectual Property Organization (WIPO), Geneva, announces the main events which occurred in 1998 in relation to the Patent Cooperation Treaty (PCT) and the results of operations under the PCT for that year.

— \* —

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

2. **Developments in 1998.** The International Bureau of WIPO received 67,007 international applications filed worldwide,<sup>1</sup> which is 12,585 (23.1%) more than in 1997. The 67,007 international applications had the effect of 2,542,343 national applications, and of 169,424 regional applications which would be equivalent to 2,264,654 applications for patent protection in the member States of the regional patent systems, that is, a notional equivalent effect, in total, of 4,806,997 national applications.

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

3. During 1998, four new Contracting States became bound by the PCT (on the dates shown in parentheses):

*Cyprus* (April 1, 1998);

*Croatia* (July 1, 1998);

*Grenada* (September 22, 1998);

*India* (December 7, 1998).

4. Instruments of accession to the PCT were deposited on December 10, 1998, by the *United Arab Emirates* and on December 16, 1998, by *South Africa*, bringing the number of States which had acceded to the PCT by December 31, 1998, to 100, as follows:

Albania	Denmark	Lithuania	Sudan
Armenia	Estonia	Luxembourg	Swaziland
Australia	Finland	Madagascar	Sweden
Austria	France	Malawi	Switzerland
Azerbaijan	Gabon	Mali	Tajikistan
Barbados	Gambia	Mauritania	The former Yugoslav Republic of
Belarus	Georgia	Mexico	Macedonia
Belgium	Germany	Monaco	Togo
Benin	Ghana	Mongolia	Trinidad and Tobago
Bosnia and Herzegovina	Greece	Netherlands	Turkey
Brazil	Grenada	New Zealand	Turkmenistan
Bulgaria	Guinea	Niger	Uganda
Burkina Faso	Guinea-Bissau	Norway	Ukraine
Cameroon	Hungary	Poland	United Arab Emirates
Canada	Iceland	Portugal	United Kingdom
Central African Republic	India	Republic of Korea	United States of America
Chad	Indonesia	Republic of Moldova	Uzbekistan
China	Ireland	Romania	Viet Nam
Congo	Israel	Russian Federation	Yugoslavia
Côte d'Ivoire	Italy	Saint Lucia	Zimbabwe
Croatia	Japan	Senegal	
Cuba	Kazakhstan	Sierra Leone	
Cyprus	Kenya	Singapore	
Czech Republic	Kyrgyzstan	Slovakia	
Democratic People's Republic of Korea	Latvia	Slovenia	
	Lesotho	South Africa	
	Liberia	Spain	
	Liechtenstein	Sri Lanka	

5. On April 1, 1998, the date on which Cyprus became bound by the PCT, it also became bound by the European Patent Convention. At the same time, the Government of Cyprus decided to close the national route via the PCT, so that Cyprus could be designated only for the purposes of obtaining a European patent (and not for a national patent).

6. On July 8, 1998, the date on which Guinea-Bissau became bound by the Bangui Agreement establishing the African Intellectual Property Organization (OAPI), it became possible for PCT applicants to designate Guinea-Bissau for an OAPI patent. Furthermore, as from that date, it has no longer been possible to designate Guinea-Bissau for a national patent.

7. In 1998, many amendments of the Regulations under the PCT, which had been adopted by the Assembly of the PCT Union in October 1997, entered into force. One amendment, which entered into force in January 1998, but whose effective implementation was in April 1998, was the making available of the *PCT Gazette* in two forms: a bilingual paper form and an electronic form in separate English and French versions (see paragraph 27 for details). Other major changes, which entered into force on July 1, 1998, dealt with: the language in which international applications may be filed and the furnishing of translations; priority claims and the furnishing of priority documents; the presentation of nucleotide and/or amino acid sequence listings; references to deposited biological material; the transmittal of a demand to the competent International Preliminary Examining Authority; the time limits for payment of certain fees together with an extension of the time limits for payment, and the introduction of a late payment fee for Chapter II fees; the circumstances in which international applications may be transmitted by other Offices to the International Bureau as receiving Office (see paragraph 18); and the access by third parties to documents in the files of international applications. As a consequence of the amendments, a number of modifications were made during the course of 1998 to: the Administrative Instructions under the PCT; the request and demand forms, and a number of other forms for use by PCT Offices and Authorities; the PCT Receiving Office Guidelines; the PCT International Search Guidelines; and the PCT International Preliminary Examination Guidelines.

8. ***Developments in PCT Automation.*** In March 1998, the Assemblies of the Member States of WIPO approved a proposed project for the automation of the PCT system. The main features of the project are: automation of the PCT operations of the International Bureau with the introduction of an electronic document management system for handling the increasing number of international applications; the development of electronic filing software; the communication between PCT Offices and Authorities and the International Bureau of documents, notifications and information in electronic form; and the development, where necessary of new standards for electronic filing, coding and transmission of data in order to ensure full compatibility of the system used by the International Bureau with those used by the national and regional Offices.

9. In April 1998, a “beta test” was initiated in which some volunteer PCT users were given the option of producing the request form as a computer print-out using the PCT-EASY software. The aim of the software is to enable applicants, through the use of its more than 165 validation checks, to avoid making mistakes on filing international applications. During the course of the year, the software was further improved, taking into account the experiences gained and comments received during the beta test phase. On January 1, 1999, the PCT-EASY software was generally released for the filing of international applications with

those receiving Offices that are prepared to accept international applications containing requests in PCT-EASY format together with diskettes, prepared using the PCT-EASY software, containing the abstract part of the international application. The software is now available, together with supporting documentation, in Chinese, English, French, German, Japanese, Russian and Spanish. Further information on PCT-EASY can be found on the PCT-EASY home page (<http://pcteasy.wipo.int>) or via the WIPO home page (<http://www.wipo.int>) on the Internet, or can be obtained from the PCT-EASY Help Desk:

by telephone: (41–22) 338 95 23  
by fax: (41–22) 338 80 40  
by e-mail: [pcteasy.help@wipo.int](mailto:pcteasy.help@wipo.int)

At a later stage, when the necessary implementation is completed, the PCT-EASY software will also enable receiving Offices to receive entire international applications in electronic form, carry out automated formality checks and transmit international applications to the International Bureau and International Searching Authorities in electronic form.

10. ***Summary of the procedure under the PCT.*** The system of patent cooperation established by 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 of the PCT Contracting States being designated without initially having to furnish a translation of the application or 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. In addition to designations of PCT Contracting States for the purpose of obtaining national patents, an international application may include designations for regional patents: ARIPO (African Regional Industrial Property Organization) patents having effect in those States party to the Harare Protocol on Patents and Industrial Designs which are also Contracting States of the PCT; Eurasian patents having effect in States party to the Eurasian Patent Convention; European patents having effect in States party to the European Patent Convention; and OAPI (African Intellectual Property Organization) patents having effect in States party to the Bangui Agreement.

12. 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 a report setting out the relevant prior art. That report is received by the applicant about 16 months after the priority date. The international application is published, together with the international search report, by the International Bureau 18 months after the priority date and is then transmitted to the applicant and the designated Offices.

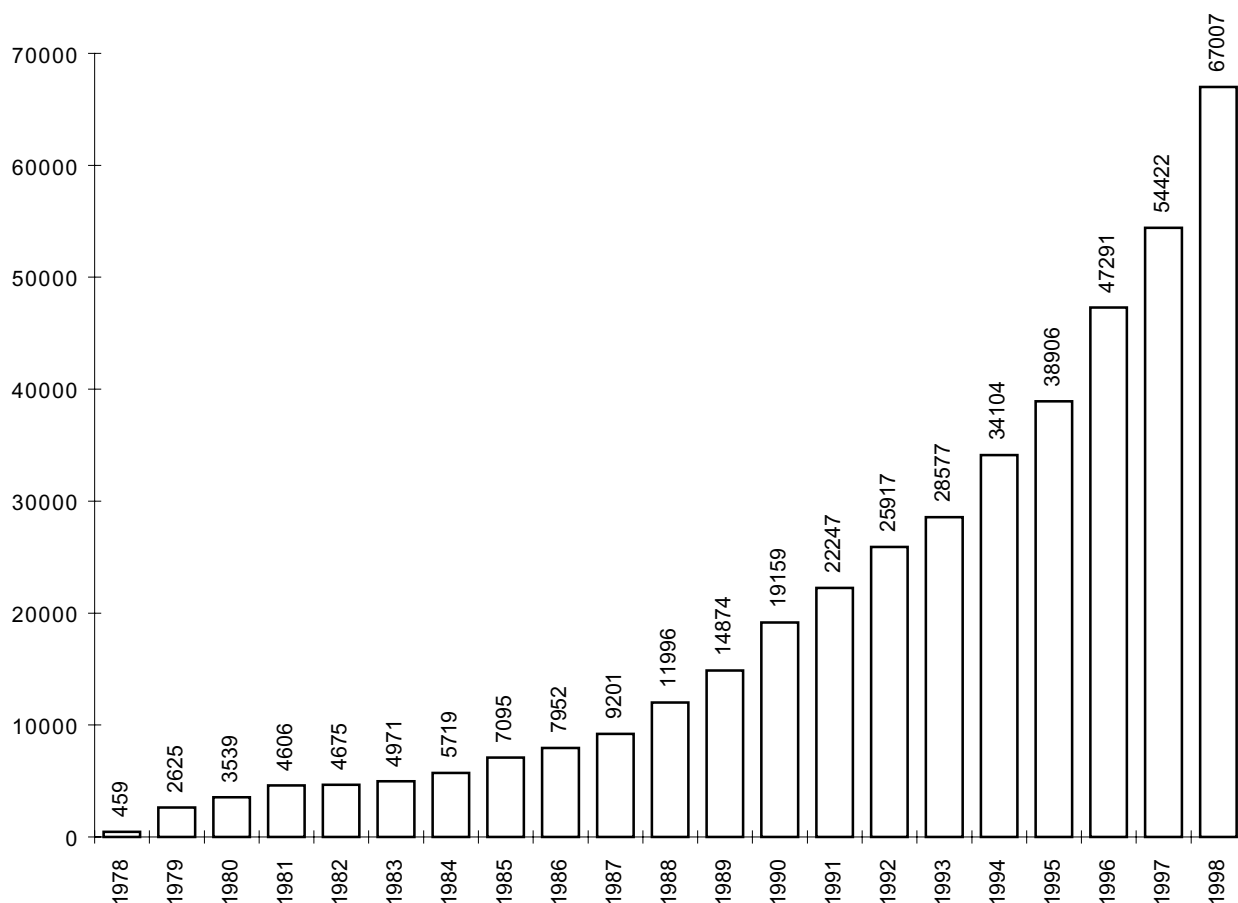
13. If the applicant requests, and most do so (see paragraph 23), the international application is also subjected to international preliminary examination under PCT Chapter II, carried out by one of the Offices which acts as an International Preliminary Examining Authority, and the entry into the national phase of the procedure is postponed from 20 months after the priority date until 30 months after that date. The examination results in a report which includes an opinion as to whether the claimed invention fulfills the criteria of novelty, inventive step and industrial applicability. The international preliminary examination report is usually received by the applicant about 28 months after the priority date, and is also sent to the designated Offices which were elected under Chapter II.



14. With the international search report and 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. If the applicant considers, in the light of such reports, that it is worthwhile to continue seeking patent protection in several countries, he may then decide to pay national fees and professional fees for patent agents abroad, and to incur the cost of preparing translations. This need not be done until 20 months after the priority date (that is, eight months later than under the traditional system), or, if the applicant has filed, in time, a demand for international preliminary examination, until 30 months after the priority date (that is, 18 months later than under the traditional system). 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.

15. **Statistics.** The following graph shows the number of international applications received by the International Bureau in each calendar year since the beginning of PCT operations:

*Number of international applications received since 1978*



16. The following table shows, by country of origin, the number of international applications received by the International Bureau, and the corresponding percentages of the total, in 1998 as compared with 1997:

<i>Country of origin</i> <sup>2</sup>		<i>Number of applications</i>		<i>Percentage</i>	
		<b>1998</b>	<b>(1997)</b>	<b>1998</b>	<b>(1997)</b>
US	United States of America	28,356	(22,736)	42.3	(41.8)
DE	Germany	9,112	(7,436)	13.6	(13.7)
JP	Japan	6,098	(4,845)	9.1	(8.9)
GB	United Kingdom	4,383	(3,939)	6.5	(7.2)
FR	France	3,322	(2,496)	5.0	(4.6)
SE	Sweden	2,554	(2,188)	3.8	(4.0)
NL	Netherlands	2,065	(1,749)	3.1	(3.2)
CA	Canada	1,315	(1,075)	2.0	(2.0)
CH&LI	Switzerland and Liechtenstein <sup>3</sup>	1,293	(1,101)	1.9	(2.0)
FI	Finland	1,092	(873)	1.6	(1.6)
AU	Australia	1,048	(881)	1.6	(1.6)
IT	Italy	925	(797)	1.4	(1.5)
IL	Israel	672	(445)	1.0	(0.8)
DK	Denmark	624	(642)	0.9	(1.2)
KR	Republic of Korea	485	(304)	0.7	(0.6)
RU	Russian Federation	429	(419)	0.6	(0.8)
BE	Belgium	428	(294)	0.6	(0.5)
AT	Austria	421	(373)	0.6	(0.7)
NO	Norway	394	(367)	0.6	(0.7)
ES	Spain	378	(340)	0.6	(0.6)
CN	China	322	(157)	0.5	(0.3)
NZ	New Zealand	178	(166)	0.3	(0.3)
IE	Ireland	150	(115)	0.2	(0.2)
SG	Singapore	127	(71)	0.2	(0.1)
HU	Hungary	122	(93)	0.2	(0.2)
BR	Brazil	114	(91)	0.2	(0.2)
LU	Luxembourg	81	(48)	0.1	(<0.1)
MX	Mexico	67	(44)	0.1	(<0.1)
CZ	Czech Republic	55	(50)	<0.1	(<0.1)
PL	Poland	48	(35)	<0.1	(<0.1)
GR	Greece	41	(52)	<0.1	(0.1)
TR	Turkey	30	(26)	<0.1	(<0.1)
ZW	Zimbabwe	25	(0)	<0.1	(0)
YU	Yugoslavia	24	(12)	<0.1	(<0.1)
SI	Slovenia	23	(37)	<0.1	(<0.1)
RO	Romania	22	(13)	<0.1	(<0.1)
SK	Slovakia	22	(14)	<0.1	(<0.1)
UA	Ukraine	21	(12)	<0.1	(<0.1)
BG	Bulgaria	18	(15)	<0.1	(<0.1)
BY	Belarus	16	(10)	<0.1	(<0.1)

[continued on next page]

2. Figures relate to receiving Offices with which international applications were filed, except that applications filed with regional Offices or with the International Bureau as receiving Offices are included under the applicant's country of residence. Of the total, 8,311 (= 12.4%) were filed with the European Patent Office (EPO) as receiving Office and 2,156 (= 3.2%) were filed with the International Bureau as receiving Office.

3. 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 1998 and 1997 [continued]*

<i>Country of origin</i>		<i>Number of applications</i>		<i>Percentage</i>	
		<b>1998</b>	<b>(1997)</b>	<b>1998</b>	<b>(1997)</b>
BB	Barbados	13	(1)	<0.1	(<0.1)
CU	Cuba	12	(5)	<0.1	(<0.1)
IS	Iceland	12	(6)	<0.1	(<0.1)
HR	Croatia	9	(n.a.)	<0.1	(n.a.)
PT	Portugal	8	(9)	<0.1	(<0.1)
LV	Latvia	6	(5)	<0.1	(<0.1)
CY	Cyprus	5	(n.a.)	<0.1	(n.a.)
GE	Georgia	5	(3)	<0.1	(<0.1)
ID	Indonesia	5	(3)	<0.1	(<0.1)
KZ	Kazakhstan	4	(5)	<0.1	(<0.1)
UZ	Uzbekistan	4	(3)	<0.1	(<0.1)
VN	Viet Nam	4	(0)	<0.1	(0)
BA	Bosnia and Herzegovina	3	(1)	<0.1	(<0.1)
MC	Monaco	3	(3)	<0.1	(<0.1)
TT	Trinidad and Tobago	3	(0)	<0.1	(0)
AM	Armenia	2	(1)	<0.1	(<0.1)
EE	Estonia	2	(5)	<0.1	(<0.1)
LT	Lithuania	2	(3)	<0.1	(<0.1)
AZ	Azerbaijan	1	(0)	<0.1	(0)
KE	Kenya	1	(1)	<0.1	(<0.1)
KG	Kyrgyzstan	1	(0)	<0.1	(0)
LK	Sri Lanka	1	(2)	<0.1	(<0.1)
MK	The former Yugoslav Republic of Macedonia	1	(4)	<0.1	(<0.1)
OA	OAPI States	0	(1)	0	(<0.1)
TOTAL		67,007	(54,422)	100.00	(100.00)

17. In 1998, the average number of designations made per international application was 40.5 (1997: 35.3). This figure is much higher than the number of States for which patent protection will eventually be sought, because the applicants in respect of 55.5% (1997: 47.8%) of all international applications received by the International Bureau in 1998 used the possibility of paying the maximum of 11 designation fees<sup>4</sup> while making as many as all possible designations. Such applicants extend the effects of their international applications to as many States as might later be of interest to them, deferring a decision as to which States they wish to proceed in. Most applicants make designations for regional patents, which designations themselves have effect in a number of States. For example, in 1998, a European patent was sought in 96.7% of all international applications.

18. In 1998, the International Bureau of WIPO as receiving Office received 2,182 international applications, which is 540 (32.8%) more than in 1997, from applicants from 49 countries. Those applications included 437 which benefited from the safeguard procedure under which international applications are transmitted from another receiving Office to the International Bureau in its capacity as receiving Office while retaining their initial filing date (for example, where they have been filed with a “non-competent” receiving Office, or where they are filed in a language which is not accepted by the other Office).

4. With effect from January 1, 1999, the maximum number of designation fees payable is 10.

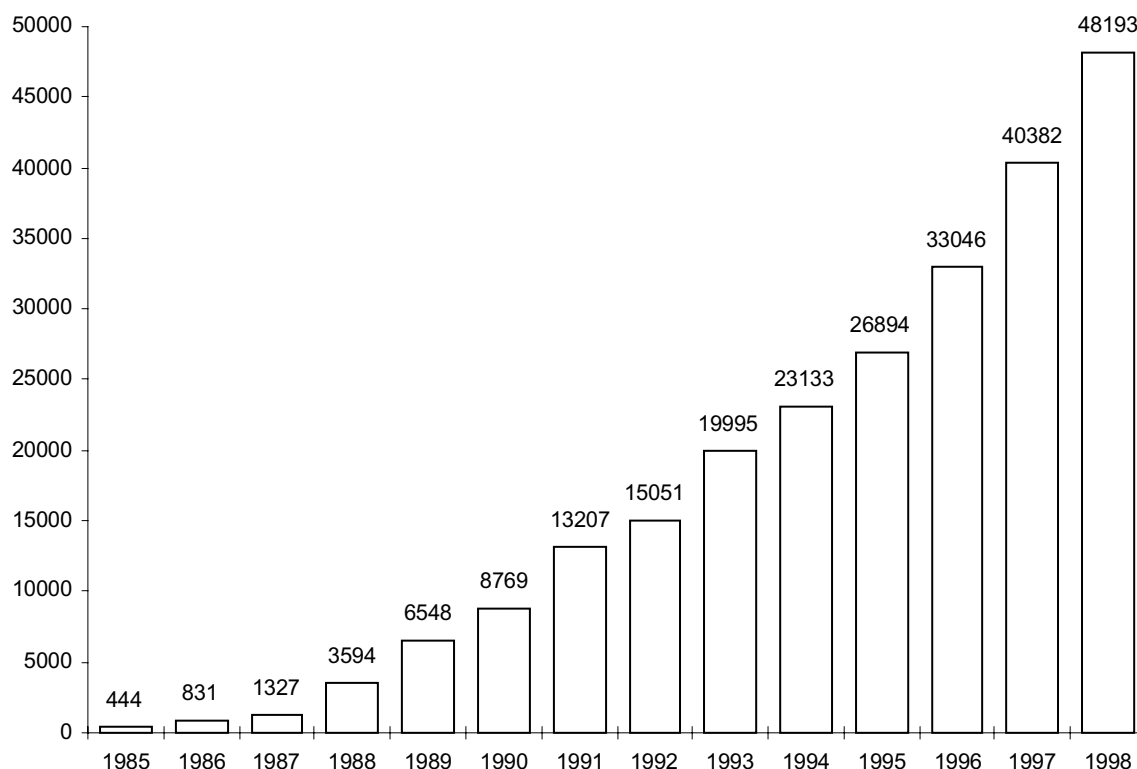
19. The international applications received by the International Bureau from receiving Offices in 1998 were filed in the following languages:

<i>Language of filing</i>	<i>Number of applications</i>		<i>Percentage</i>	
	<b>1998</b>	<b>(1997)</b>	<b>1998</b>	<b>(1997)</b>
English	44,458	(35,953)	66.3	(66.1)
German	10,086	(8,304)	15.1	(15.3)
Japanese	5,689	(4,521)	8.5	(8.3)
French	3,392	(2,618)	5.1	(4.8)
Swedish	899	(968)	1.3	(1.8)
Finnish	523	(419)	0.8	(0.8)
Dutch	476	(349)	0.7	(0.6)
Russian	434	(404)	0.6	(0.7)
Spanish	422	(370)	0.6	(0.7)
Norwegian	236	(209)	0.3	(0.4)
Danish	178	(173)	0.3	(0.3)
Chinese	177	(134)	0.3	(0.2)
Other languages	37	n.a.	<0.1	n.a.
<b>TOTAL</b>	<b>67,007</b>	<b>(54,422)</b>	<b>100.0</b>	<b>(100.0)</b>

20. A copy of the international application is sent to the International Searching Authority competent for carrying out the international search. Where more than one Authority is competent, the applicant chooses the one he would like to carry out the search. The number of international applications sent to each International Searching Authority is indicated below:

<i>International Searching Authority</i>	<i>Number of applications</i>		<i>Percentage</i>	
	<b>1998</b>	<b>(1997)</b>	<b>1998</b>	<b>(1997)</b>
European Patent Office	39,136	(30,604)	58.4	(56.2)
United States of America	14,597	(12,717)	21.8	(23.4)
Japan	5,690	(4,522)	8.5	(8.3)
Sweden	4,702	(4,341)	7.0	(8.0)
Australia	1,209	(1,003)	1.8	(1.8)
Austria	591	(363)	0.9	(0.7)
Russian Federation	433	(410)	0.6	(0.7)
Spain	329	(305)	0.5	(0.6)
China	320	(157)	0.5	(0.3)
<b>TOTAL</b>	<b>67,007</b>	<b>(54,422)</b>	<b>100.0</b>	<b>(100.0)</b>

21. The number of demands for international preliminary examination received by the International Bureau from the International Preliminary Examining Authorities in 1998 amounted to 48,193, which represents an increase over 1997 of 19.3%. The number of demands received in each calendar year since 1985 is indicated below:

*Number of demands received since 1985*

22. The number of demands received by the International Bureau from each International Preliminary Examining Authority is indicated below:

<i>International Preliminary Examining Authority</i>	<i>Number of demands</i>		<i>Percentage</i>	
	<b>1998</b>	<b>(1997)</b>	<b>1998</b>	<b>(1997)</b>
European Patent Office	26,592	(22,103)	55.2	(54.7)
United States of America	14,130	(12,412)	29.3	(30.7)
Sweden	3,088	(2,447)	6.4	(6.1)
Japan	2,776	(2,046)	5.8	(5.1)
Australia	1,009	(896)	2.1	(2.2)
Russian Federation	259	(183)	0.5	(0.5)
Austria	219	(173)	0.5	(0.4)
China	120	(122)	0.2	(0.3)
<b>TOTAL</b>	<b>48,193</b>	<b>(40,382)</b>	<b>100.0</b>	<b>(100.0)</b>

23. The demands for international preliminary examination received in 1998 relate mainly to international applications filed in 1997. Demands are filed in respect of more than 80% of all applications.

24. **Meetings.** The Assembly of the PCT Union held its twenty-sixth (15th ordinary) session in Geneva from September 7 to 15, 1998. The Assembly decided to amend the Schedule of Fees to decrease the maximum number of designation fees payable with effect from January 1, 1999, from 11 to 10. This means that any designation made under PCT Rule 4.9(a) in excess of 10 will not require the payment of a designation fee. The Assembly also adopted an amendment to the Schedule of Fees, with effect from January 1, 1999, to provide for a reduction of 200 Swiss francs (or the equivalent in other currencies) in the total amount payable in respect of the international fee if the following conditions are met: (i) the request is presented as a computer print-out prepared using the PCT-EASY software (see paragraph 9 for details on the PCT-EASY software); (ii) the request is filed together with a computer diskette, prepared using that software, containing a copy in electronic form of the data contained in the request and of the abstract; (iii) the international application is filed with a receiving Office which is prepared to accept the filing of international applications containing requests in PCT-EASY format together with PCT-EASY diskettes.

25. **Seminars.** In 1998, officials of the International Bureau participated in 122 seminars which dealt with the use and advantages of the PCT and the promotion of accession to the PCT. In the course of those seminars, which were held in Argentina, Bangladesh, Belgium, Bolivia, Brazil, Cameroon, Chile, China, Costa Rica, Cuba, Denmark, Djibouti, Egypt, France, Germany, Ghana, India, Iran, Italy, Japan, Mexico, Norway, Panama, Papua New Guinea, Philippines, Republic of Korea, Samoa, Singapore, Slovenia, Spain, Sri Lanka, Sweden, Switzerland, Thailand, Tunisia, the United Arab Emirates, the United Kingdom, the United States of America, Uruguay and Zimbabwe, presentations were given in Chinese, English, French, German, Japanese, Korean and Spanish to about 6,650 users and potential users of the PCT system.

26. **PCT Information Line.** The PCT Information Line answers general inquiries about the filing of international applications and the procedure during the international phase under the PCT. Where necessary, inquiries are referred to the authorized officer responsible for the particular application, or to the PCT Legal Division. The PCT Information Line can be contacted as follows:

by telephone: (41-22) 338 83 38  
by fax: (41-22) 338 83 39  
by e-mail: [pct.infoline@wipo.int](mailto:pct.infoline@wipo.int)

27. **Publications under the PCT.** At the beginning of April 1998, the format of the paper version of the *PCT Gazette* changed, the *Gazette* became available on the Internet, and information from the *Gazette* became available on a new CD-ROM. The paper version of the *Gazette* is now bilingual (English and French) and no longer contains abstracts or drawings. Special issues (see paragraph 29) are, however, available in separate English and French versions. The Internet version of the *Gazette* is available, free-of-charge, via the WIPO home page (<http://www.wipo.int>). It contains, in English and French, the following sections (which are equivalent to the contents of the previous paper version):

- Section I: Published International Applications (the bibliographic data, the abstract and any drawing, for each international application published). This section is fully searchable, with searches possible by single words or by phrases and by a number of fields.
- Section II: Notices and Information Relating to Published International Applications

Section III: Weekly Indexes

Section IV: Notices and Information of a General Character.

28. There are now two series of CD-ROMs containing information from the *Gazette*. One is the monthly ESPACE-FIRST CD-ROM which is produced by the European Patent Office (see also paragraph 33). The other series, which has been produced since the beginning of April 1998, was developed by Bundesdruckerei GmbH, in cooperation with WIPO, and is issued every week on the day on which WIPO publishes the corresponding international applications (see also paragraph 36).

29. In 1998, the *Gazette* included entries relating to the 59,597 international applications (1997: 50,282) which were published in 1998 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 *Gazette*. The *Gazette* also included, in Section IV, a substantial volume of information of a general character concerning new Contracting States and the requirements of the various Offices and International Authorities. In June, a bilingual (English/French) index of the *Gazette* was published for 1997, containing a consolidated version of the indexes published in Section III and an index to Section IV. The following special issues of the *Gazette* were published in 1998:

- Nos. S-01/1998 (E) and (F) (January) and S-04/1998 (E) and (F) (July)—Consolidated general information relating to PCT Contracting States, national and regional Offices and International Authorities under the PCT;
- No. S-02/1998 (E) and (F) (June)—Amendments of the PCT Regulations;
- No. S-03/1998 (E) and (F) (June)—Administrative Instructions under the PCT, as in force from July 1, 1998;
- No. S-05/1998 (E) and (F) (September)—PCT Receiving Office Guidelines, as in force from August 28, 1998;
- No. S-06/1998 (E) and (F) (October)—PCT International Search Guidelines, as in force from September 18, 1998;
- No. S-07/1998 (E) and (F) (October)—PCT International Preliminary Examination Guidelines, as in force from October 9, 1998.

30. The number of international applications published in each of the languages of publication was as follows:

<i>Language of publication</i>	<i>Number of applications</i>		<i>Percentage</i>	
	<b>1998</b>	<b>(1997)</b>	<b>1998</b>	<b>(1997)</b>
English	41,841	(35,384)	70.2	(70.4)
German	9,131	(7,676)	15.3	(15.3)
Japanese	4,879	(3,950)	8.2	(7.8)
French	2,880	(2,523)	4.8	(5.0)
Russian	394	(338)	0.7	(0.7)
Spanish	350	(282)	0.6	(0.5)
Chinese	122	(129)	0.2	(0.3)
	_____	_____	_____	_____
TOTAL	59,597	(50,282)	100.0	(100.0)

31. 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 twice in 1998 to include the many changes that had occurred during the year. About 500 updating sheets, per language, were sent to each subscriber in 1998.

32. Twelve issues of the *PCT Newsletter* were published in 1998. This monthly publication 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 six-monthly updates.

33. In 1998, the International Bureau continued, in cooperation with the European Patent Office, the weekly production of ESPACE WORLD CD-ROMs, which contain, in facsimile form, the full text and the drawings of all international applications and international search reports published each week, 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 880 CD-ROMs had been produced by the end of 1998).

34. **Ordering of PCT publications.** PCT publications may be ordered from WIPO, Information Products Section, P.O. Box 18, CH-1211 Geneva 20, Switzerland, fax: (41-22) 740 18 12 or 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 Chinese, German and Japanese—contact WIPO for details);
- PCT pamphlets containing published international applications (in various languages—see paragraph 30—and containing the title and the abstract in both the language of publication and English), together with the corresponding international search reports;
- the *PCT Gazette* (available in bilingual (English and French) format);
- the *PCT Newsletter* (available in English);
- booklets containing the text of the PCT and the PCT Regulations (in Arabic, Chinese, English, French, German, Italian, Portuguese, Russian and Spanish);
- special issues of the *PCT Gazette* (see paragraph 29) (in English and French).

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

36. 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, CD-ROMs containing the international applications published between 1978 and 1989 can be obtained only from WIPO, at the address indicated in paragraph 34. The CD-ROMs produced by Bundesdruckerei GmbH may be ordered from the following address: Bundesdruckerei GmbH, Sparte Elektronische Publikationen, Oranienstraße 91, D-10958 Berlin, Germany.

37. **Internet.** During 1998, the International Bureau increased significantly the amount of PCT materials on the Internet. The following PCT materials may now be viewed, free of charge, on WIPO's Internet site (<http://www.wipo.int>):



- *PCT Gazette*
- Information on PCT Information Line
- *PCT Newsletter* (No. 01/1997 to current issue)
- *PCT Applicant's Guide*
- PCT-EASY software and supporting documentation
- Recent PCT-related updates
- PCT Automation Project Overview
- PCT seminar calendar
- *Basic Facts about the PCT*
- The PCT in 1998
- About the Treaty
- Text of the Patent Cooperation Treaty
- Status of ratifications
- Text of the Regulations under the PCT
- Administrative Instructions under the PCT (as in force from July 1, 1998)
- PCT Receiving Office Guidelines (as in force from August 28, 1998)
- PCT International Search Guidelines (as in force from September 18, 1998)
- PCT International Preliminary Examination Guidelines (as in force from October 9, 1998)
- Direct filing of PCT applications with the International Bureau as PCT receiving Office
- PCT forms
- PCT Assembly documents: 1997, 1998

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