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NEWSLETTER

March 2002

No. 03/2002

TIME LIMITS FOR ENTERING THE NATIONAL PHASE

On pages 6 and 7, an updated version of a table published in *PCT Newsletter* No. 05/2001, indicates, for each designated/elected Office, the time limits for entering the national (or regional) phase under Chapters I and II of the PCT (that is, respectively, where the Contracting State concerned has been designated but has not been elected under Chapter II within 19 months from the priority date and where the Contracting State concerned has been so elected within 19 months from the priority date).

The revised table takes into account the modification, with effect from 1 April 2002, of the time limit under PCT Article 22(1) and includes the applicable time limits for the Offices which have notified the International Bureau of the non-applicability of the new time limit (see footnote reference *** of the table).

The table also includes the following States which have become party to the PCT since the table was last published: Oman (OM), the Philippines (PH), Tunisia (TN) and Zambia (ZM); it also includes other changes which have come into effect since May 2001 regarding the time limits under PCT Article 22(1)(c) and/or 39(1)(b) for the Eurasian Patent Office (EA), the Czech Republic (CZ), the European Patent Office (EP) and Slovakia (SK).

Note that the table is **applicable only as from 1 April 2002**.

REQUESTING DETAILED INTERNATIONAL PRELIMINARY EXAMINATION AT THE EPO

It is recalled that, with effect from 3 January 2002, the European Patent Office (EPO) has introduced a new rationalized procedure for carrying out international preliminary examination (see *PCT Newsletter* No. 01/2002, cover page). Detailed examination may still be carried out, however, upon the express request of the applicant.

Some applicants have inquired as to how such a request should be made. The EPO has informed the International Bureau that a letter, which can be sent at the time of filing the demand, requesting detailed examination would be sufficient. Subsequently, if the international preliminary exami-

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[continued from cover page]

nation is to be based on amendments made under PCT Articles 19 or 34 or if any arguments are made as a response to a rationalized written opinion, a detailed examination may be requested upon the filing of such amendments/arguments. Note, however, that **the applicant should be clear as to his intentions**, for example, simply commenting on the international search report or on the rationalized written opinion may not necessarily be deemed to indicate a wish for a detailed examination.

For further information on the rationalized international preliminary examination

PCT MATERIALS ON INTERNET

(<http://www.wipo.int/pct/en/>)

Welcome page, with links to what's new on the site
PCT Information Service

PCT filing

- Basic Facts about the PCT
- Forms
- Fees
- Direct filing of PCT applications with the International Bureau as PCT receiving Office
- PCT Applicant's Guide

PCT-EASY

PCT E-filing (PCT-SAFE)

PCT legal texts and guidelines

- About the Treaty
- Texts of the Patent Cooperation Treaty, Regulations and Administrative Instructions and search facility for Articles under PCT
- PCT Receiving Office Guidelines
- PCT International Search Guidelines
- PCT International Preliminary Examination Guidelines
- PCT Contracting States
- Reservations and incompatibilities
- Notifications concerning non-applicability of modified time limit under PCT Article 22(1)
- PCT legal texts index

PCT Gazette

PCT news

- PCT Newsletter (Nos. 01/1997-03/2002); Practical Advice published in the PCT Newsletter between March 1994 and December 1996 and search facility for all Practical Advice
- PCT Press Releases/Updates
- The PCT in 2001

Seminar calendar and seminar materials:

- seminar documents: March 2001 (English, French); May 2001 (Spanish, German)

PCT meetings (documents):

- Committee (21-25 May 2001) and Working Group on Reform of the PCT (12-15 November 2001; 29 April-3 May 2002)
- PCT Assembly: 1978-2001
- PCT Informal Consultation Meeting on Electronic Filing (July 2000); redraft of legal framework and technical standards for PCT electronic filing
- PCT Committee for Administrative and Legal Matters: 1999

* * *

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procedure, see the *Official Journal of the EPO*, No. 11/2001, page 539, which is published on the EPO's website at: http://www.european-patent-office.org/epo/pubs/oj001/11_01/index.htm, or contact the EPO direct.

PCT INFORMATION UPDATE

DE Germany (means of telecommunication)

The requirements of the German Patent and Trade Mark Office concerning the furnishing of the original of a document transmitted by fax have changed, as follows:

must the original of the document be furnished in all cases?

yes, within 14 days from the date of the transmission, if the transmitted document is an international application or a replacement sheet containing corrections or amendments of an international application

no, only upon invitation in the case of other documents

(Updating of *PCT Applicant's Guide*, Vol. I/A, Annex B1 (DE))

EP European Patent Office (provisional sheets for the *PCT Applicant's Guide*; fee reductions)

The pink tear-out provisional sheets for the *PCT Applicant's Guide* (Vol. I/B, Annexes D (EP) and E (EP)) include information on the limitations concerning the PCT applications for which the EPO will not act as International Searching Authority or International Preliminary Examining Authority, as well as new information on the conditions for refund of the international preliminary examination fee (see "Preliminary examination fee," below).

The European Patent Office (EPO) in its capacity as elected Office has notified a change with regard to the reduction of the examination fee in certain cases, as follows:

exemptions, reductions or refunds of the national fee:

the examination fee is reduced by 50% where an international preliminary examination report has been established by the EPO except if it is a "rationalized" international preliminary examination report (see OJ EPO 11/2001, 539)

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

TR Turkey (fees)

The Turkish Patent Institute has informed the International Bureau that the Swiss franc (CHF) will no longer be the currency of payment of certain fees, and has introduced new amounts of national fees in Turkish lira (TRL), payable to it as designated (or elected) Office, as follows:

for patent:

filing fee:	TRL 185,000,000
fee for grant of letters patent:	TRL 115,000,000

for utility model:

filing fee:	TRL 185,000,000
first annual fee:	TRL 115,000,000

(Updating of *PCT Applicant's Guide*, Vol. II/C, National Chapter, Summary (TR))

Search fee (European Patent Office)

As from 1 May 2002, there will be a change in the equivalent amount payable in JPY for an international search carried out by the European Patent Office (EPO), as indicated in Table I(b).

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

Preliminary examination fee (European Patent Office)

The European Patent Office (EPO) has notified the International Bureau of additional conditions for refund and the amount of refund of the preliminary examination fee in certain cases, as follows:

if a "rationalized" international preliminary examination report is established: refund of two thirds*

* applicable to international applications for which the EPO draws up a rationalized international preliminary examination report as from 3 January 2002.

A consolidated list of all cases of refund is included in the pink tear-out provisional sheets for the *PCT Applicant's Guide*, Vol. I/B, Annex E (EP).

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

NEW PCT MATERIALS ON THE INTERNET

The updated English version of the *PCT Applicant's Guide* (January 2002, as well as subsequent weekly updates up to 28 February 2002) is now available on the PCT website. The French version is under preparation. See "PCT Applicant's Guide" in the "Shortcuts" box at:

<http://www.wipo.int/pct/en>

INFORMATION ON POSSIBLE EFFECTS OF BACKLOG IN PCT OPERATIONS

The following information is further to that which was given in *PCT Newsletter* No. 12/2001 concerning a possible backlog in PCT operations at the United States Patent and Trademark Office (USPTO) and at the International Bureau (IB). (Information on the interruption in the US Mail Service and the events of 11 September 2001 was published in *PCT Newsletter* Nos. 10/2001, page 6, 11/2001, page 7, and 12/2001, page 3.)

The filing statistics for the end of 2001 and the beginning of 2002 show that the IB has received a much lower number of record copies from the USPTO as receiving Office (RO/US) than is usually the case. The IB received from RO/US only 229 international applications in December 2001 and only 1,104 in January 2002, which is considerably less than the monthly average for the first 11 months of 2001 of nearly 3,600.

It is not known when the backlog of applications filed with RO/US will reach the IB, but it is foreseen that when it does, there will be problems trying to process those applications in a timely manner so that publication can take place promptly after the expiration of 18 months from the priority date; the IB will try to publish on time as many as possible of the applications concerned, but, unfortunately, delays in the publication of some applications will be unavoidable. There may also be a significant increase in the number of applications which will have to be republished.

For example, many of the applications filed with RO/US in October 2001 are due for publication in April 2002, but have not yet been received by the IB; it will not now be possible to publish them on time. Also, if the applicant has chosen the European Patent Office as International Searching Authority (ISA) instead of the USPTO, that ISA will probably receive the search copy of the international application late, and will not therefore be able to carry out the international search within the usual time frame. If the ISR is received by the IB after the technical preparations for publication of the international application have been completed, the IB will have to republish the international application with the ISR, and, if amendments to the claims under PCT Article 19 are subsequently filed by the applicant, it will have

to republish again the international application with those amendments.

PRACTICAL ADVICE

Filing a demand for international preliminary examination when the international search report is late

Q: I have filed an international application claiming the priority of an application filed in August 2000 and designating all PCT Contracting States. The 19-month time limit for filing the demand in order to benefit from the later time limit for entry into the national phase in all designated States of 30 months from the priority date will expire in one week's time, and I have not yet received the international search report (ISR) relating to my application. Consequently, I have nothing on which to base my decision as to whether it is worthwhile filing a demand for international preliminary examination and incurring the fees required therefor. Do I still have to file my demand before that 19-month time limit and pay the fees within one month of filing the demand, even if the ISR has not yet been issued? If the ISR turns out to be negative, can I stop the international preliminary examination procedure and obtain a refund of any fees paid?

A: If you wish to benefit from the 30-month time limit for entry into the national phase under PCT Article 39(1), you must file your demand within 19 months from the priority date, regardless of whether certain circumstances exist, such as if the ISR has not yet been issued.*

The two fees payable when filing a demand, that is the handling fee and the preliminary examination fee, are, in general, both due within one month of the date of filing the demand (see PCT Rules 57.3 and 58.1(b)). PCT Rule 58*bis* provides for an extension of the time limit for the payment of those fees, whereby, if the fees have not been paid within that one-month time limit from the filing of the demand, the International Preliminary Examining Authority (IPEA) issues an invitation to pay the missing amount within one month of that invitation; however, this may be subject to a late payment fee (see PCT Rule 58*bis*.2).

* This would also be the case after 1 April 2002, when the new time limit under PCT Article 22(1) enters into force, since you wish to delay the entry into the national phase before **all** designated Offices, and the new time limit does not apply to certain Offices (for details, see *PCT Newsletter* No. 02/2002).

If you receive a negative ISR before paying those fees, and you decide that you do not wish to proceed any further with the international application, you can withdraw the demand (see PCT Rule 90*bis*.4), withdraw the international application, if that is preferred (see PCT Rule 90*bis*.1), or you may simply choose not to pay the fees. In the latter case, shortly after one month from the date of issuance of the invitation to pay the unpaid fees, the demand will be considered by the IPEA not to have been submitted, with the result that the international preliminary examination will not be carried out on the international application **and** the effect of postponing the commencement of the national phase will be lost.

If, by the time the fees are due, you have still not received the ISR, you can either wait for the invitation to pay the fees—with the possibility of paying an additional fee—in which case the ISR might be issued before you actually pay the fees (and so you would be able to proceed as above in the case of a negative ISR), or you can go ahead and pay the fees in time. In the latter case, if the ISR, when it is eventually received, is negative, and you decide that you do not wish to proceed any further with the international application, you can withdraw the demand and request a refund of the fees from the IPEA concerned.

In the case of the handling fee, the IPEA will fully refund that fee to the applicant **if the demand is withdrawn before it is sent by that Authority to the International Bureau** (see PCT Rule 57.6(i)). The extent, if any, to which, and the conditions, if any, under which the IPEAs will refund any of the international preliminary examination fee varies depending on the IPEA concerned. In the case of many of the IPEAs, if the international application or the demand is **withdrawn before the start of the international preliminary examination**, there is a refund of 100%, in the case of two of the IPEAs the refund under those conditions is less than that, but in the case of one of the IPEAs, no refund will be given. For details, refer to the *PCT Applicant's Guide*, Vol. I/B, Annex E. It is worth noting that, if the IPEA is the same Office as the ISA, it is unlikely that international preliminary examination will start before the ISR has been issued, and, as a consequence, the likelihood of a refund is higher.

PCT SEMINAR CALENDAR			
Dates and Location	Language of seminar	Nature of seminar; WIPO speakers (and others where known)	Organizer and contact numbers
12–13 March 2002 Muscat (OM)	Arabic/ English	WIPO National Seminar on the PCT WIPO speakers: Mr. Abdelaziz and Mr. Regis	Ministry of Commerce and Industry, Oman (Dr. Jaber bin Marhoun Flaifil AL-Wahaiby) Fax: (968) 771 72 38
25–26 March 2002 Geneva (CH)	English/ French/ Spanish	Conference on the International Patent System WIPO speaker(s): Mr. Smith and Mr. Thomas Other speakers: see WIPO website: http://patentagenda.wipo.int/ meetings/2002/speakers/index.html	PCT Administration Department, WIPO (Mrs. Susan Olesen) Tel: (41–22) 338 91 64 Fax: (41–22) 740 37 00 E-mail: ips.meetings@wipo.int
26 March 2002 Boston (US)	English	PCT seminar WIPO speaker: Mr. Maassel	Boston Patent Law Association (Mr. William G. Gosz) Tel: (1–617) 951 70 00 Fax: (1–617) 951 70 50 E-mail: wgosz@ropesgray.com
4 April 2002 Paris (FR)	French	PCT presentation for patent attorneys WIPO speaker: Ms. Boutillon	Fondation Nationale pour le Droit de l'Entreprise (FNDE) (Mrs. Heuzé) Tel: (33–1) 42 66 18 19 Fax: (33–1) 42 66 17 37
8–9 April 2002 Algiers (DZ) [POSTPONED—dates to be announced]	French	PCT seminar: “Les brevets et le PCT” WIPO speaker: Mr. Abdelazziz	Institut national algérien de la propriété industrielle (INAPI)(M. Sadou) Tel: (213–2) 173 57 74 Fax: (213–2) 173 55 81 Internet: www.inapi.org
10–11 April 2002 Ecully (FR)	French	PCT seminar for patent attorneys WIPO speaker: Ms. Boutillon	Centre Paul Roubier (Mrs. Audi) Tel: (33–4) 78 33 07 08 Fax: (33–4) 78 33 58 96
10–11 April 2002 London (GB)	English	Basic PCT seminar for patent administrators: “Working with the PCT” WIPO speaker: Mr. Reischle	Management Forum Ltd Tel: (44–1483) 57 00 99 Fax: (44–1483) 53 64 24 E-mail: josephine.leak@management-forum.co.uk
12 April 2002 London (GB)	English	PCT-EASY workshop WIPO speaker: Mrs. Featherby	Management Forum Ltd (as above)
17–18 April 2002 Munich (DE)	German	Basic PCT seminar for patent administrators WIPO speaker: Mr. Reischle	Forum Institut für Management GmbH Tel: (49–6221) 500 500 Fax: (49–6221) 500 505 E-mail: Management@Forum-Institut.de
22 April 2002 Stockholm (SE)	English	PCT presentation at “The International Patent Systems PCT/EPC” course WIPO speaker: Mr. Matthes	Swedish Patent Office (Mr. Christer Eklöf) Tel: (46–8) 782 28 32 Fax: (46–8) 783 01 63 E-mail: christer.eklof@prv.se
23–26 April 2002 Havana (CU)	Spanish	Presentation: “International Treaties on Patents (PCT and PLT) and the Development of the International Patent System” at the First Congress on Industrial Property WIPO speaker: Mr. Hernandez Vigaud	Cuban Industrial Property Office (Mrs. María de los Ángeles Sánches Torres) Tel: (53–7) 33 56 10 Fax: (53–7) 33 56 10
26–27 April 2002 Concord, New Hampshire (US)	English	Basic PCT seminar for patent attorneys and patent administrators WIPO speaker: Mr. Maassel	Franklin Pierce Law Center (Ms. Carol Ruh) Tel: (1–603) 228 19 63, ext. 1108 Fax: (1–603) 224 33 42 E-mail: cruh@fplc.edu Internet: http://www.fplc.edu/TreatySem/treatysem.htm
28–30 April 2002 Naples, Florida (US)	English	Advanced PCT seminar for patent attorneys WIPO speaker: Mr. Maassel	Patent Resources Group, Inc. Tel: (1–804) 296 39 00 Fax: (1–804) 296 39 99
2–4 May 2002 Naples, Florida (US)	English	Basic PCT seminar for patent attorneys WIPO speaker: Mr. Maassel	Patent Resources Group, Inc. Tel: (1–804) 296 39 00 Fax: (1–804) 296 39 99
4–5 June 2002 Paris (FR)	French	Basic seminar on PCT procedures WIPO speaker: Mr. Baron	Institut national de la propriété industrielle (INPI) (Mrs. Christiane Sadrin) Tel: (33–1) 53 04 55 76 Fax: (33–1) 42 93 63 52
26–27 June 2002 Paris (FR)	French	Advanced seminar on PCT procedures WIPO speaker: Mr. Baron	Institut national de la propriété industrielle (INPI) (as above)

**TIME LIMITS FOR ENTERING NATIONAL/REGIONAL PHASE
UNDER PCT CHAPTERS I AND II
AS FROM 1 APRIL 2002**

(in months from priority date, or from international filing date if there is no priority claim)

Note that unless reference to a footnote is made, the time limit under Chapter I will apply, as from 1 April 2002, to international applications in respect of which the period of 20 months from the priority date expires on or after 1 April 2002 and in respect of which the acts referred to in PCT Article 22(1) have not yet been performed by the applicant. If the period of 20 months from the priority date expires before 1 April 2002, see the time limits in the corresponding table in PCT Newsletter No. 05/2001.

DO/EO ¹	CHAPTER I (under PCT Article 22)	CHAPTER II (under PCT Article 39(1))	DO/EO ¹	CHAPTER I (under PCT Article 22)	CHAPTER II (under PCT Article 39(1))
Regional Offices					
AP ¹	30	31**	EP ¹	31*, ³	31**
EA	31*, ²	31**	OA ¹	30	30
National Offices					
AE	30	30	EC	30	31**
AG ⁴	30	30	EE	20***	30
AL	30	31**	ES ⁶	30	30
AM ⁵	30	31**	FI ⁶	20***	30
AT ⁶	30	30	GB ⁶	21*,***	31**
AU	21*,***	31**	GD ⁴	30	30
AZ ⁵	30	31**	GE	30	31**
BA	30	31**	GH ⁹	30	30
BB	30	30	GM ⁹	30	31**
BG	21*,***	31**	HR	21*,***	31**
BR	20***	30	HU	21*,***	30
BY ⁵	30	31**	ID	30	31**
BZ	30	31**	IL	20***	30
CA	30 (32 ⁷)	30 (42 ⁷)	IN	30	31**
CH ^{1,6}	20***	30	IS	30	30
CN	20***	30	JP	20***	30
CO	30	31**	KE ⁹	30	30
CR	30	31**	KG ⁵	30	31**
CU	30	30	KP	30	30
CZ	31*, ⁸	31**, ⁸	KR	20***	30
DE ⁶	30	30	KZ ⁵	30	31(33 ⁷)**
DK ⁶	20***	30	LC ⁴	30	30
DM ⁴	30	30	LK	30	30
DZ	30	31**	LR	30	31**

[continued on next page]

TIME LIMITS FOR ENTERING NATIONAL/REGIONAL PHASE UNDER PCT CHAPTERS I AND II AS FROM 1 APRIL 2002 <i>[continued]</i>					
DO/EO ¹	CHAPTER I (under PCT Article 22)	CHAPTER II (under PCT Article 39(1))	DO/EO ¹	CHAPTER I (under PCT Article 22)	CHAPTER II (under PCT Article 39(1))
National Offices <i>[continued]</i>					
LS ⁹	30	31**	SE ⁶	20***	30
LT	30	31**	SG	20***	30
LU ⁶	20***	30	SI	30	31**
LV	30	31**	SK	21*,***	31**
MA	30	31**	SL ⁹	30	31**
MD ⁵	30	31**	TJ ⁵	30	31**
MG	30	30	TM ⁵	30	31**
MK	30	31**	TN ⁴	30	30
MN	30	31**	TR ⁶	30	30 (33 ⁷)
MW ⁹	30	30	TT	30	31**
MX	30	30	TZ ⁹	21*,***	31**
MZ ⁹	30	31**	UA	30	31**
NO	20***	30	UG ⁹	21*,***	31**
NZ	30	31**	US	30	30
OM ⁴	30	30	UZ	30	31**
PH ⁴	30	30	VN	30	31**
PL	30	30	YU	20 (21 ⁷)***	30 (31 ⁷)
PT ⁶	30	30	ZA	21*,***	31**
RO	30	30	ZM ^{4,9}	20***	30
RU ⁵	30	31**	ZW ⁹	30	31**
SD ⁹	30	30			

- * This time limit has been fixed in accordance with PCT Article 22(3) by the Office concerned.
- ** This time limit has been fixed in accordance with PCT Article 39(1)(b) by the Office concerned.
- *** This Office has notified the International Bureau of the non-applicability of the new time limit under PCT Article 22(1) of 30 months, as modified with effect from 1 April 2002.
- 1. The Offices of the PCT Contracting States which follow are not designated Offices (DOs)/elected Offices (EOs) (the DO/EO applicable for each of those States is shown in parentheses): BE (EP), BF (OA), BJ (OA), CF (OA), CG (OA), CI (OA), CM (OA), CY (EP), FR (EP), GA (OA), GN (OA), GQ (OA), GR (EP), GW (OA), IE (EP), IT (EP), LI (CH), MC (EP), ML (OA), MR (OA), NE (OA), NL (EP), SN (OA), SZ (AP), TD (OA), TG (OA).
- 2. New time limit under PCT Article 22(3) applicable since 1 March 2002.
- 3. New time limit under PCT Article 22(3) applicable since 2 January 2002.
- 4. In the absence of information from the Office concerned, the time limits shown are those which would normally apply under PCT Articles 22(1) and 39(1)(a). If the Office decides to apply longer time limits, that information will be published in the *PCT Newsletter*.
- 5. If designated/elected for a Eurasian patent, see EA as DO/EO for the applicable time limits.
- 6. If designated/elected for a European patent, see EP as DO/EO for the applicable time limits.
- 7. Time limit applicable if applicant pays an additional fee for late entry into the national phase.
- 8. New time limit under PCT Article 22(3) applicable since 18 January 2002.
- 9. If designated/elected for an ARIPO patent, see AP as DO/EO for the applicable time limits.

PCT FEE TABLES

The following Tables show the amounts and currencies 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 fee per sheet over 30, the designation fee and the handling fee, as well as an exemption from the transmittal fee payable to the International Bureau as receiving Office, is also available to applicants from certain States; see footnote 12 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.) The footnotes to the Fee Tables follow Table II.

Key to abbreviations used in fee tables:

eq	equivalent of	BGL	Bulgarian lev	GEL	Georgian lari	LTL	Lithuanian litas	SGD	Singapore dollar
IPEA	International Preliminary Examining Authority	BRR	Brazilian real	GHC	Ghanaian cedi	LVL	Latvian lat	SIT	Slovenian tolar
ISA	International Searching Authority	BYR	Belarussian rouble	HRK	Croatian kuna	MAD	Moroccan dirham	SKK	Slovak koruna
n a	not applicable	BZD	Belize dollar	HUF	Hungarian forint	MDL	Moldovan leu	TJS	Tajik somoni
RO	receiving Office	CAD	Canadian dollar	IDR	Indonesian rupiah	MKD	Macedonian denar	TTD	Trinidad and Tobago dollar
		CHF	Swiss franc	ILS	New Israel shekel	MWK	Malawian kwacha	UAH	Ukrainian hryvnia
		CNY	Yuan renminbi	INR	Indian rupee	MXP	Mexican peso	USD	US dollar
		CUP	Cuban convertible peso	ISK	Icelandic krona	NOK	Norwegian krone	VND	Vietnamese dong
		CYP	Cyprus pound	JPY	Japanese yen	NZD	New Zealand dollar	YUD	Yugoslavian dinar
		AED	United Arab Emirates dirham	KES	Kenyan shilling	PHP	Philippine peso	PLZ	Polish zloty
		ALL	Albanian lek	KGS	Kyrgyz som	ROL	Romanian leu	ZAR	South African rand
		AMD	Armenian dram	KPW	KP won	RUR	Russian rouble	ZWD	Zimbabwe dollar
		AUD	Australian dollar	KRW	KR won	SDP	Sudanese pound		
		AZM	Azerbaijani manat	KZT	Kazakh tenge	SEK	Swedish krona		
			GBP	LSM	Lesotho loti				

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

(as at 1 March 2002, unless otherwise indicated)

RO	Transmittal fee ¹	Basic fee ^{1,2,3} (CHF 650)	Fee per sheet over 30 ^{1,2,3,4} (CHF 15)	Designation fee ^{1,2,3,5,6} (CHF 140)	PCT-EASY reduction ² (CHF 200)	Competent ISA(s) ⁷
AE	AED ⁸ –	AED eq CHF 650	15	140	n a	AT AU
AL	ALL 9,000	CHF 650	15	140	n a	EP
AM	AMD 32,000	USD 407	9	88	125	EP RU
AP	USD 50 (or eq in local currency)	USD 407	9	88	125	AT EP SE
AT	EUR 50	EUR 444	10	96	137	EP
AU	AUD 100	AUD 828	19	178	255	AU
AZ	AZM eq USD 15 plus mailing costs	USD 407	9	88	n a	EP RU
BA	EUR 25.56	EUR 444	10	96	137	EP
BE	EUR 40	EUR 444	10	96	137	EP
BG	BGL 60	BGL eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	EP RU
BR	BRR 236	BRR eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	AT EP SE US
BY	BYR eq USD 70	USD 407	9	88	n a	EP RU
BZ	BZD 220	USD 407	9	88	125	EP
CA	CAD 200	CAD 639	15	138	197	EP
CH	CHF 100	CHF 650	15	140	200	EP
CN	CNY 500	CNY eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	CN
CR	USD 175	USD 407	9	88	125	EP ES
CU	USD (or eq CUP) 200	USD (or eq CUP) 407	9	88	125	AT EP ES RU
CY	CYP 75	CYP 258	6	56	n a	EP
CZ	CZK 1,500	CZK eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	EP

[continued on next page]

Table I(a) – TRANSMITTAL, BASIC AND DESIGNATION FEES [continued]
(as at 1 March 2002, unless otherwise indicated)

RO	Transmittal fee ¹	Basic fee ^{1,2,3} (CHF 650)	Fee per sheet over 30 ^{1,2,3,4} (CHF 15)	Designation fee ^{1,2,3,5,6} (CHF 140)	PCT-EASY reduction ² (CHF 200)	Competent ISA(s) ⁷
DE	EUR 90	EUR 444	10	96	137	EP
DK	DKK 1,500	DKK 3,300	80	710	1,020	EP SE
DZ	DZD ⁸ –	CHF 650	15	140	200	AT EP
EA	RUR eq USD 50	USD 407	9	88	125	EP RU
EC	USD ⁸ –	USD 407	9	88	125	EP ES
EE	EEK 1,800	EEK eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	EP
EP	EUR 100	EUR 444	10	96	137	EP
ES	EUR 61.51	EUR 444	10	96	137	EP ES
FI	EUR 135	EUR 444	10	96	137	EP SE
FR	EUR 60	EUR 444	10	96	137	EP
GB	GBP 55	GBP 278	6	60	86	EP
GE	GEL ⁹ 10	USD 407	9	88	125	EP RU
GH	GHC ¹⁰ 2,500 or 5,000	USD 407	9	88	n a	AT AU CN EP SE
GR	EUR 115	EUR 444	10	96	137	EP
HR	HRK 200	HRK eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	EP
HU	HUF ¹¹ 10,000	HUF eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	EP RU
IB	CHF ¹² 100 or USD ¹² 60	CHF 650 or USD 407	15 9	140 88	200 125	See footnote 13
ID	IDR 500,000	IDR eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	AU EP RU
IE	EUR 76.00	EUR 444	10	96	137	EP
IL	ILS 445	USD 407	9	88	125	EP US
IN	INR 5,000 (filing by indiv: 1,500)	USD 407	9	88	125	AT AU CN EP SE US
IS	ISK 5,500	ISK 41,300	1,000	8,900	n a	EP SE
IT	EUR 30.99	EUR 444	10	96	n a	EP
JP	JPY 18,000	JPY 47,800	1,100	10,300	14,700	EP JP
KE	USD (or KES equiv) ³⁰	USD 407	9	88	n a	AT AU CN EP SE
KG	KGS eq USD 100	USD 407	9	88	125	EP RU
KP	KPW eq CHF 50	KPW eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	AT RU
KR	KRW 45,000	KRW 530,000	12,000	114,000	163,000	AT AU JP ¹⁴ KR
KZ	KZT ⁸ –	USD 407	9	88	125	EP RU
LR	USD 45	USD 407	9	88	n a	AT AU CN EP SE
LS	LSM ⁸ –	LSM eq CHF 650	eq CHF 15	eq CHF 140	n a	AT EP
LT	LTL 320	USD 407	9	88	n a	EP RU
LU	EUR 19	EUR 444	10	96	n. a.	EP
LV	LVL 47.20	USD 407	9	88	125	EP RU
MA	None	CHF 650	15	140	n a	AT EP RU SE
MC	EUR ⁸ –	EUR 444	10	96	n a	EP
MD	MDL 180	USD 407	9	88	125	EP RU
MK	MKD 2,750	MKD eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	EP
MN	None	CHF 650	15	140	200	EP RU
MW	MWK 2,000	MWK 25,000	600	5,400	7,700	EP

[continued on next page]

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

(as at 1 March 2002, unless otherwise indicated)

RO	Transmittal fee ¹	Basic fee ^{1,2,3} (CHF 650)	Fee per sheet over 30 ^{1,2,3,4} (CHF 15)	Designation fee ^{1,2,3,5,6} (CHF 140)	PCT-EASY reduction ² (CHF 200)	Competent ISA(s) ⁷
MX	MXP ³ eq USD 200	MXP eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	EP SE US
NL	EUR 50	EUR 444	10	96	137	EP
NO	NOK 500	NOK 3,560	80	770	1,090	EP SE
NZ	NZD 180	NZD 1,012	23	218	312	AU EP US
OM	Information not yet available					
PH	PHP 3,500	USD 407	9	88	125	AU EP JP KR US
PL	PLZ 300	PLZ eq CHF 650	eq CHF 15	eq CHF 140	n a	EP
PT	EUR 23.19	EUR 444	10	96	137	EP
RO	ROL 300,000	CHF 650	15	140	200	AT EP RU
RU	RUR 294	USD 407	9	88	125	EP RU
SD	SDP 50	SDP eq CHF 650	eq CHF 15	eq CHF 140	n a	EP
SE	SEK 1,200	SEK 4,390	100	950	1,350	EP SE
SG	SGD 150	SGD 720	17	156	222	AT AU EP
SI	SIT 22,000	SIT eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	EP
SK	SKK 1,600	SKK eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	EP
TJ	TJS ⁸ –	USD 407	9	88	n a	EP RU
TM	USD ⁸ –	USD 407	9	88	125	EP RU
TN	Information not yet available					
TR	CHF 100	CHF 650	15	140	200	EP
TT	TTD 750	USD 407	9	88	125	AT EP SE US
UA	UAH 255	USD 407	9	88	n a	EP RU
US	USD 240	USD 407	9	88	125	EP US
UZ	USD ⁸ –	USD 407	9	88	125	EP RU
VN	VND eq USD 150	VND eq CHF 650	eq CHF 15	eq CHF 140	n a	AT AU EP RU SE
YU	YUD 600	YUD eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	EP
ZA	ZAR 500	ZAR 3,560 (from 1.4.02: 4,870)	80 (112)	770 (1,050)	1,090 (1,500)	AT AU EP US
ZM	Information not yet available					
ZW	ZWD 1,000	ZWD eq USD 407	eq USD 9	eq USD 88	eq USD 125	AT AU CN EP RU

Table I(b) – SEARCH FEES

(as at 1 March 2002, unless otherwise indicated)

ISA	Search fee ¹							
AT	EUR 159	CHF 230	KRW 191,000	SGD 259	USD 150	ZAR 1,280		
AU	AUD 800 ZAR* 3,430	CHF 628	KRW 500,000	NZD 978	SGD 700	USD 393		
	* (from 15.3.02: ZAR 4,290)							
CN	CNY 1,500	CHF 290	USD 180					
EP ¹⁵	EUR 945 ISK 88,000 SGD 1,533	CAD 1,360 JPY* 102,000 USD 866	CHF 1,383 MWK 53,000 ZAR** 7,570	CYP 550 NOK 7,570	DKK 7,030 NZD 2,023	GBP 592 SEK 9,340		
	* (from 1.5.02: JPY 110,000)							
	** (from 1.4.02: ZAR 10,280)							
ES ¹⁵	EUR 945	CHF 1,383	USD 866					
JP	JPY 72,000	CHF 980	KRW 798,000	USD 610				
KR	KRW 150,000	CHF 180	USD 120					
RU ¹⁶	USD 300	CHF 480						
SE	SEK 9,340 USD 866	CHF 1,383	DKK 7,030	EUR 945	ISK 88,000	NOK 7,570		
US	USD 700 450 ¹⁷	CHF 1,118 719 ¹⁷	NZD 1,740 1,120 ¹⁷	ZAR* 6,700 4,300 ¹⁷				
	* (from 1.4.02: ZAR 8,700 5,600 ¹⁷)							

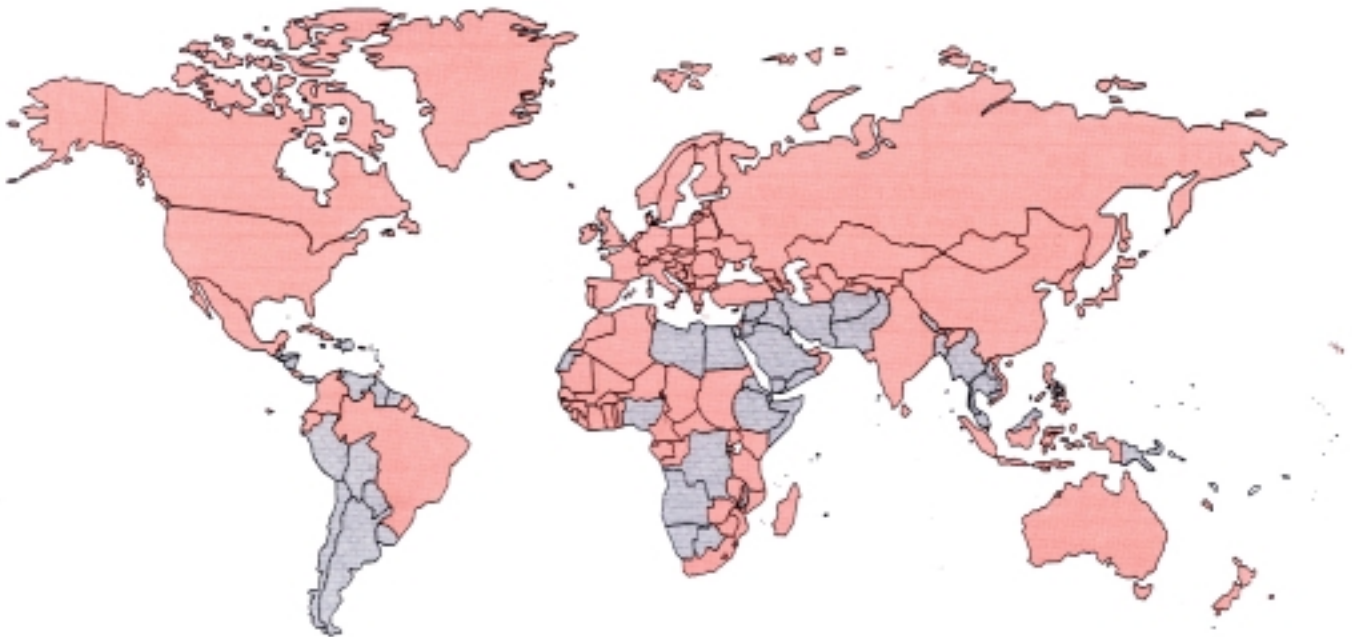
Table II – PRELIMINARY EXAMINATION FEES
(as at 1 March 2002, unless otherwise indicated)

IPEA	Preliminary examination fee ¹⁸		Handling fee ^{3,18} (CHF 233)	
AT	EUR	159	EUR	159
AU	AUD	450	AUD	297
CN	CNY	1,500	CNY eq CHF	233
EP ¹⁵	EUR	1,530	EUR	159
JP	JPY	28,000	JPY	17,100
KR	KRW	150,000	KRW	190,000
RU ¹⁶	USD	200 ¹⁹ 300 ²⁰	USD	146
SE	SEK	5,000	SEK	1,570
US	USD	490 750 ²¹	USD	146

Footnotes to fee tables:

- 1 Payable to the receiving Office in the currency or one of the currencies prescribed by it.
- 2 The total amount of the basic fee and designation fee is reduced by 200 Swiss francs 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 PCT application is filed with a receiving Office which is prepared to accept the filing of PCT applications containing requests in PCT-EASY format together with PCT-EASY diskettes.
- 3 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, Algeria, Armenia, Azerbaijan, Belarus, Belize, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cameroon, Central African Republic, Chad, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Democratic People's Republic of Korea, Dominica, Ecuador, Equatorial Guinea, 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, Morocco, Mozambique, Niger, Philippines, Poland, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Senegal, Sierra Leone, Slovakia, South Africa, Sri Lanka, Sudan, Swaziland, Tajikistan, The former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Republic of Tanzania, Uzbekistan, Viet Nam, Yugoslavia, Zambia or Zimbabwe. For further details, see *PCT Newsletter* No. 10/1995, cover page, No. 11/1995, page 6, and No. 05/1996, cover page.
- 4 Where the PCT application as filed contains a sequence listing part in computer readable form only, or both in that form and on paper, under Section 801 of the PCT *Administrative Instructions*, and where that application is filed with a receiving Office which is prepared to accept such filings, a fixed component of 400 times the fee per sheet over 30 is payable for the sequence listing part, irrespective of the actual length of that part (see Section 803(ii) of the *Administrative Instructions*).
- 5 The maximum number of designation fees payable is five.
- 6 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).
- 7 For the search fee payable to the receiving Office, consult the entry in Table I(b) for the competent International Searching Authority.
- 8 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.
- 9 This fee is reduced by 80% where the applicant is a natural person.
- 10 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.
- 11 A supplement of HUF 500 is also payable for each claim in excess of 10.
- 12 This fee is not payable in respect of international applications filed by applicants fulfilling the conditions indicated in footnote 3.
- 13 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).
- 14 The Japan Patent Office is competent only for international applications in Japanese.
- 15 The search fee payable to the EPO and the Spanish Patent and Trademark Office, as well as the preliminary examination fee payable to the EPO, are 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 a State not party to the European Patent Convention, which fulfils the requirements for the corresponding reduction of certain PCT fees as specified in the Schedule of Fees annexed to the PCT Regulations, and in accordance with the decision of the EPO's Administrative Council of 11 October 2000, the text of which was included in *PCT Newsletter* No. 11/2000. The States concerned are those indicated in footnote 3, with the exception of Turkey.
- 16 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.
- 17 Payable when a corresponding prior US national application has been filed under 35 USC 111(a) and the basic filing fee for that US application has been paid.
- 18 Payable to the International Preliminary Examining Authority in the currency or one of the currencies prescribed by it.
- 19 Payable when the international search report was established by the Russian Patent Office.
- 20 In all cases where footnote 19 does not apply.
- 21 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 (115 on 1 March 2002)



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

¹ Extension of European patent possible.

² 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 State indicated in **bold italics** has adhered to the PCT but was not yet bound by the PCT on the date of issue of the latest version of the request form. Where any 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. If the applicant wishes to designate, for the purposes of a national patent, any State which is bound by the PCT on the date on which the international application is filed but which is not listed in the request form, he must add it in Box No. V of the request form and mark the corresponding check-box.

Applicants should always use the latest versions of the request form (PCT/RO/101) and demand form (PCT/IPEA/401), updated versions of which are normally issued twice yearly. The latest versions are dated January 2002. The forms are reproduced in Annexes Y and Y, respectively, in Vol. I/B of the *PCT Applicant's Guide* (January 2002 update), and can be printed from the WIPO Internet site, in editable PDF format, at: <http://www.wipo.int/pct/en/forms/index.htm>, or obtained from receiving Offices or the International Bureau, or, in the case of the demand form, also from International Preliminary Examining Authorities.

D International Searching Authorities D
EP EUROPEAN PATENT OFFICE (EPO) EP

Search fee (PCT Rule 16): ¹	Euro (EUR)	945	
	Pound sterling (GBP) ²	592	
	Swiss franc (CHF) ²	1,383	
	Swedish krona (SEK) ²	9,340	
	Danish krone (DKK) ²	7,030	
	Cyprus pound (CYP) ²	550	
	Canadian dollar (CAD) ²	1,360	
	Icelandic krona (ISK) ²	88,000	
	Japanese yen (JPY) ²	102,000	
	Malawian kwacha (MWK) ²	53,000	
	Norwegian krone (NOK) ²	7,570	
	New Zealand dollar (NZD) ²	2,023	
	Singapore dollar (SGD) ²	1,533	
	US dollar (USD) ²	866	
South African rand (ZAR) ²	7,570	(10,280)*	
Additional search fee (PCT Rule 40.2) ³	Same amount as above in EUR		
Fee for copies of documents cited in the international search report (PCT Rule 44.3):	For applicants: none; applicant receives, together with the international search report, a copy of each document cited therein For designated Offices: EUR 0.60 per page		
Fee for translation into English of the international application (PCT Rule 48.3(b)): ⁴	Per 100 words of the original text: EUR 20		

[Continued on next page]

* This amount is applicable as from 1 April 2002.

¹ This fee is payable to the receiving Office concerned in the currency or one of the currencies accepted by it (see Annex C). The 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 a State not party to the European Patent Convention, which fulfils the requirements for the corresponding reduction of certain PCT fees as specified in the Schedule of Fees annexed to the PCT Regulations (see also corresponding footnote to Annex C(IB) and *PCT Gazette* No. 50/1995, pages 19233 and 19234), and in accordance with the decision of the EPO's Administrative Council of 11 October 2000 (OJ EPO 2000, 446).

² The equivalent amount in this currency is subject to change, due to currency fluctuations. For the current amount, reference should be made to the latest issue of the *PCT Gazette* containing the equivalent amounts of this fee or to the *PCT Newsletter*.

³ This fee is payable to the International Searching Authority and only in particular circumstances. Footnote 1 (except the first sentence) is also applicable.

⁴ This fee is payable to the International Searching Authority and only in particular circumstances.

D International Searching Authorities D**EP EUROPEAN PATENT OFFICE (EPO) EP**

[Continued]

Conditions for refund and amount of refund of the search fee:	<p>Money paid by mistake, without cause, or in excess, will be refunded</p> <p>Where the international application is withdrawn or is considered withdrawn, under PCT Article 14(1), (3) or (4), before the start of the international search: refund of 100%</p> <p>Where the Authority benefits from an earlier search (including a privately commissioned “standard” search) already made by the Authority on an application whose priority is claimed for the international application: refund of 100% or 50%, depending upon the extent to which the Authority benefits from the earlier search.</p>
Protest fee (PCT Rule 40.2(e)):	EUR 1,020
Languages accepted for international search:	English, French, German and, where the international application is filed with the Patent Offices of Belgium or the Netherlands, Dutch.
Requirements concerning nucleotide and/or amino acid sequence listing (PCT Rule 13 <i>ter</i> .1): ⁵	Computer readable form required
Subject matter that will not be searched:	The subject matter specified in items (i) to (vi) of PCT Rule 39.1 with the exception of all subject matter which is searched under the European patent grant procedure
International applications for which this International Searching Authority has indicated that it is not competent:	International applications filed – by a national or a resident of the United States of America – with the United States Patent and Trademark Office or the International Bureau as receiving Office where such applications contain one or more claims relating to certain fields of biotechnology or business methods ⁶

⁵ See also Supplement No. 2 to OJ EPO 11/1998.

⁶ This restriction is applicable as from 1 March 2002. For details, see footnote 4 of Annex C(IB) and *PCT Gazette* No. 52/2001, page 24248.

E International Preliminary Examining Authorities E

EP EUROPEAN PATENT OFFICE (EPO)¹ EP

Preliminary examination fee (PCT Rule 58): ^{2,3}	Euro (EUR)	1,530
Additional preliminary examination fee (PCT Rule 68.3): ⁴	Same amount as above	
Handling fee (PCT Rule 57.1): ^{3,5}	EUR	159
Fee for copies of documents cited in the international preliminary examination report (PCT Rule 71.2):	For applicants: none; applicant receives, together with the international preliminary examination report, a copy of each document cited therein	
	For elected Offices:	EUR 0.60 per page
Fee for copies of documents contained in the file of the international application (PCT Rule 94): ⁶	Per A4 page or smaller (delivery charge should be added if the copies are to be sent by air mail):	
	EUR	0.60 per page
Conditions for refund and amount of refund of the preliminary examination fee:	<p>Money paid by mistake, without cause, or in excess, will be refunded</p> <p>In the cases provided for under PCT Rule 58.3: refund of 100%</p> <p>If the international application or the demand is withdrawn before the start of the international preliminary examination: refund of 75%</p> <p>If a “rationalized” international preliminary examination report is established: refund of two thirds</p>	
Protest fee (PCT Rule 68.3(e)):	EUR	1,020
Languages accepted for international preliminary examination:	English, French, German	

[Continued on next page]

* Applicable to international applications for which the European Patent Office draws up a rationalized international preliminary examination report as from 3 January 2002. See OJ EPO 11/2001, 539.

¹ The EPO may act as International Preliminary Examining Authority only if the international search is or has been performed by the EPO, the Austrian Patent Office, the Spanish Patent and Trademark Office or the Swedish Patent Office. See also the “Information for PCT Applicants” in OJ EPO 1997, pages 593 to 600, concerning the procedure before the EPO as International Preliminary Examining Authority.

² This fee is payable to the International Preliminary Examining Authority. The 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 a State not party to the European Patent Convention, which fulfils the requirements for the corresponding reduction of certain PCT fees as specified in the Schedule of Fees annexed to the PCT Regulations (see also corresponding footnote to Annex C(IB) and *PCT Gazette* No. 50/1995, pages 19233 and 19234), and in accordance with the decision of the EPO's Administrative Council of 11 October 2000 (OJ EPO 2000, 446).

³ The late payment fee, equal to 50% of the amount of the unpaid fees, is payable to the International Preliminary Examining Authority. See OJ EPO 1998, 282.

⁴ This fee is payable to the International Preliminary Examining Authority and only in particular circumstances. Footnote 2 (except the first sentence) is also applicable.

⁵ This fee is payable to the International Preliminary Examining Authority. It is reduced by 75% where the applicant or, if there are two or more applicants, each applicant is a natural person and is a national of and resides in any of the States mentioned in the corresponding footnote to Annex C(IB).

⁶ This fee is payable to the International Preliminary Examining Authority if copies of documents are requested.

E **International Preliminary** **E**
Examining Authorities

EP **EUROPEAN PATENT OFFICE (EPO)** **EP**

[Continued]

Subject matter that will not be examined:	The subject matter specified in items (i) to (vi) of PCT Rule 67.1 with the exception of all subject matter which is examined under the European patent grant procedure
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International applications for which this International Preliminary Examining Authority has indicated that it is not competent:	International applications filed – by a national or a resident of the United States of America – with the United States Patent and Trademark Office or the International Bureau as receiving Office where such applications contain one or more claims relating to certain ⁷ fields of biotechnology, business methods or telecommunication ⁷
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⁷ This restriction is applicable as from 1 March 2002. For details, see footnote 4 of Annex C(IB) and *PCT Gazette* No. 52/2001, page 24248.