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PCT Article 22(1): Withdrawal of notification of incompatibility

Singapore

Further to its notification of the incompatibility of PCT Article 22(1), as modified with effect from 1 April 2002, with its national law (see *PCT Newsletter* No. 02/2002), the Intellectual Property Office of Singapore, in its capacity as designated Office, has notified the International Bureau that it has withdrawn its notification with effect from 1 January 2004.

The (new) 30-month time limit under PCT Article 22(1) will therefore apply as from that date in respect of international applications for which the 20-month time limit expires on or after 1 January 2004 and in respect of which the acts referred to in PCT Article 22(1) have not yet been performed by the applicant.

(Updating of the table of time limits for entering national/regional phase under PCT Chapters I and II (see *PCT Newsletter* No. 08/2003, tear-out sheets)). ■

Overview of Changes to the PCT System as from 1 January 2004

PCT users should be aware of the changes that will affect the procedure for filing international applications as from 1 January 2004. Some of the most important changes are outlined below. (The footnotes are at the end of this article.)

Revised Request and Demand Forms, dated January 2004, should be used¹

PCT applications and demands for international preliminary examina-

tion filed on or after 1 January 2004 should be filed using the revised Request and Demand Forms, dated January 2004. For information about the changes that have been made to those forms, and about their availability, see "Modified Request and Demand Forms," on page 5. Note that ***the revised forms must not be used before 1 January 2004.***

Individual designation of States no longer possible¹

The applicant will no longer be able to designate States separately since, under new PCT Rule 4.9(a) the filing of a request will constitute:

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- Forms
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- 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 text index

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- the designation of all Contracting States that are bound by the PCT on the international filing date;

- an indication that the international application is for the grant of every kind of protection which is available by way of the designation of that State; and

- an indication that the international application, where applicable in respect of the State concerned, is for the grant of a regional and a national patent.

This does not prevent the applicant from withdrawing specific designations by submitting a notice of withdrawal under PCT Rule 90*bis*.2.

If the applicant wishes the international application to be treated, in a certain designated or elected Office, as an application not for a patent but for another kind of protection available under the national law of the designated or elected State concerned, he will have to indicate his choice **directly to the designated or elected Office** later, at the time of entry into the national phase.

Note that since all States will be designated automatically, the concept of precautionary designations is no longer relevant—current PCT Rules 4.9(b) and (c) have therefore been deleted with effect from 1 January 2004.

For information about the possibility of excluding the designations of Germany, the Republic of Korea or the Russian Federation, see “Practical Advice,” on page 11.

Indications regarding parent application or grant, or continuation or continuation-in-part¹

If, upon entry into the national phase, the applicant intends to:

- make an indication under PCT Rule 49*bis*.1(a) or (b) of the wish that the international application be treated, in any designated State, as an application for a patent of addition, certificate of addition, inventor's certificate of addition or utility certificate of addition, or

- make an indication under PCT Rule 49*bis*.1(d) of the wish that the international application be treated, in any designated State, as an application for a continuation or a continuation-in-part of an earlier application,

PCT Quiz

If there are several applicants for an international application and no agent or common representative has been appointed to represent all of the applicants for the purposes of the international phase in general, and not all of the applicants have signed the request, who will be automatically considered to be the common representative (that is, to be the “deemed” common representative) of all the applicants?

- (a) the first-named applicant in the request;
- (b) the first-named applicant in the request who has the right to file an international application with the receiving Office;
- (c) the first-named applicant in the request who has the right to file an international application and who has signed the request; or
- (d) the applicant who has signed the request.

an indication to that effect should be included in the request, identifying the relevant parent application or the parent patent or other parent grant. (See new PCT Rule 4.11(a)(iii) and (iv).)

Signature requirements^{1,2}

Under PCT Rule 4.15 each applicant should sign the request. If there is more than one applicant, it will be sufficient, however, for the purposes of filing the international application, if the request is signed by one of them (see new PCT Rule 26.2*bis*(a)); the receiving Office (RO) will no longer invite the applicant to furnish the missing signature(s) of the other applicant(s).

Similarly, under PCT Rule 53.8 each applicant should sign the demand, but if there is more than one applicant, it will be sufficient, for the purposes of filing the demand, if the demand is signed by one of them (see new PCT Rule 60.1(a-*ter*)); the International Preliminary Examining Authority (IPEA) will no longer invite the applicant to furnish the missing signature(s) of the other applicant(s).

Note, however, that, should a notice of withdrawal be filed at any time during the international phase, that notice will have to be signed by **all** the applicants (see PCT Rule 90*bis*.5(a)), or by an agent or a common representative whose appointment has been effected by each applicant signing, at his choice, the request, the demand or a separate power of attorney

(PCT Rule 90.4(a)). Furthermore, any designated Office will be permitted to require, in the national phase, the signature in respect of any applicant who did not provide it in the international phase (see PCT Rule 51*bis*.1(a)(vi)).

Requirements regarding the indication of the applicant’s address, nationality and residence^{1,2}

Under PCT Rule 4.5(a), the request should indicate the address, nationality and residence for each applicant. However, if there is more than one applicant and those indications have not been furnished in respect of all applicants, it will be sufficient, for the purposes of filing the international application, if those indications have been provided in respect of one of the applicants who is entitled, according to PCT Rule 19.1, to file the international application with the receiving Office (see new PCT Rule 26.2*bis*(b)); the RO will no longer invite the applicant to furnish such missing indications.

Similarly, where those prescribed indications concerning the applicant have not been furnished in the demand in respect of all applicants, it will be sufficient, for the purposes of filing the demand, if those indications have been provided in respect of at least one of the applicants who has the right according to PCT Rule 54.2 to file a demand (see new PCT Rule 60.1(a-*bis*)); the IPEA will no longer invite the applicant to furnish such missing indications.

Note, however, that any designated Office will be permitted to require, in the national phase, missing indications of the applicant’s address, nationality and residence (see PCT Rule 51*bis*.1(a)(vi)).

Possibility of power of attorney waivers by PCT Offices, PCT Authorities and/or the International Bureau¹

Under new PCT Rule 90.4(d), any RO, International Searching Authority (ISA), IPEA and the International Bureau (IB) may waive the requirement under PCT Rule 90.4(b) that a separate power of attorney appointing an agent or a common representative be submitted to it. However, where an agent or a common representative submits a notice of withdrawal, the requirement for a separate power of attorney may not be waived.

Similarly, under PCT Rule 90.5(c) any RO, any ISA and any IPEA may waive the requirement under PCT Rule 90.5(a)(ii) that a copy of the

general power of attorney is attached to the request, the demand or the separate notice, as the case may be. But, where an agent or a common representative submits a notice of withdrawal, the requirement for a copy of a general power of attorney may not be waived.

Information about any such waivers will be published as and when they are made.

Changes regarding payment of fees

(a) New international filing fee^{1,3}

In respect of international applications received by the receiving Office on or after 1 January 2004, the basic and designation fees will be replaced by the “international filing fee,” the amount of which will be 1,400 Swiss francs, payable within one month from the date of receipt of the international application. The amount payable will be the amount applicable on the ***date of receipt*** of the international application by the receiving Office. It is recalled that the fee per sheet in excess of 30 is still payable, and the amount has not changed.

(b) New amount of the handling fee; amended time limit for payment of the handling fee²

The new amount of the handling fee will be 200 Swiss francs, payable, in general, within one month from the date on which the demand was submitted or 22 months from the priority date, whichever expires later (for further information on the amended time limit for payment of this fee, see *PCT Newsletter* No. 10/2003, page 8). The amount payable will be the amount applicable on the ***date of payment*** of the fee.

(c) Fee reductions in certain cases^{1,2,3}

Reductions in the amount of the international filing fee of 100, 200 or 300 Swiss francs will apply, respectively, to international applications:

- containing requests filed using the PCT-EASY features of the PCT-SAFE software;
- filed in electronic form where the text of the description, claims and abstract is not in character coded format;
- filed in electronic form where the text of the description, claims and abstract is in character coded format.

The 75% fee reduction which is currently available to any applicant who is a resident

and national of certain countries and who is a natural person, will also be available to any applicant, whether a natural person or not, who is a national of and resides in a State that is classed as a least developed country by the United Nations. For further information about those fee reductions and the conditions that must be met in order to benefit from them, see *PCT Newsletter* No. 10/2003, pages 3 and 4.

Enhanced international search and preliminary examination system¹

Under the new search and examination system which will apply to international applications filed on or after 1 January 2004, a written opinion will be established by the ISA in respect of all international applications in addition to the international search report. The written opinion will, unless an international preliminary examination report is to be established, subsequently be “converted” by the IB into an “international preliminary report on patentability (Chapter I of the Patent Cooperation Treaty).” If a demand for international preliminary examination is filed in respect of an international application, the written opinion which has been established by the ISA will, in general, be used by the IPEA as its own first written opinion, unless the IPEA notifies the IB to the contrary. The subsequently established international preliminary examination report will be entitled “international preliminary report on patentability (Chapter II of the Patent Cooperation Treaty).” Further information on the new system will be given in the *PCT Newsletter* shortly.

New time limit for filing the demand¹

A new time limit for filing the demand has been introduced whereby the demand may be filed at any time before whichever of the following periods expires later:

- three months from the date of transmittal to the applicant of the international search report (or of the declaration referred to in PCT Article 17(2)(a) that no international search report will be established) and the written opinion by the International Searching Authority; or
- 22 months from the priority date.

For further details, see *PCT Newsletter* No. 10/2003, page 8.

Exclusion of elections of States no longer possible²

As from 1 January 2004, and according to amended PCT Rule 53.7, the filing of a de-

mand will constitute the election of all PCT Contracting States which have been designated and are bound by Chapter II—it will no longer be possible to exclude any States from being elected. This does not prevent the applicant from withdrawing specific elections by submitting a notice of withdrawal under PCT Rule 90*bis*.4 (see *PCT Newsletter* No. 10/2003, page 9).

As a consequence of the automatic election of all States, the concept of making later elections is no longer relevant and, accordingly, current PCT Rule 56 has been deleted with effect from 1 January 2004.

The texts of the new/amended rules that will enter into force on 1 January 2004 are reproduced in documents PCT/A/31/10 and PCT/A/32/8, which are available on the PCT website, by selecting both the thirty-first and thirty-second sessions, at:

www.wipo.int/pct/en/meetings/assemblies/index.htm

A consolidated version of the PCT Regulations, applicable from 1 January 2004, may be downloaded from the “New on the PCT website” box on the home pages of the PCT website:

www.wipo.int/pct/en/
www.wipo.int/pct/fr/

It is also linked to from the usual legal texts page on the website:

www.wipo.int/pct/en/texts/index.htm
www.wipo.int/pct/fr/texts/index.htm

Footnotes:

1. Applicable in respect of all international applications, the international filing date of which is on or after 1 January 2004.
2. Applicable in respect of all demands filed on or after 1 January 2004.
3. The Schedule of Fees as worded before its amendment continues to apply to any international application which is received by the receiving Office before 1 January 2004, and is accorded an international filing date that is on or after 1 January 2004. ■

Modified Request and Demand Forms

The Request and Demand Forms have been modified with effect from 1 January 2004. The main changes are as follows:

Request Form (PCT/RO/101)

The contents of the current Box No. V “Designation of States,” covering both express designations and precautionary designations, have been deleted, since it is no longer applicable due to the new all-inclusive coverage of designations. The applicant will obtain an automatic and all-inclusive coverage of all designations available under the PCT on the international filing date, in respect of every kind of protection available and, where applicable, in respect of both regional and national patents. In addition to a statement explaining this, three check-boxes have been introduced for applicants wishing not to designate Germany, the Republic of Korea and/or the Russian Federation for any kind of national protection (for further details on the reasons why these boxes have been introduced, see “Practical Advice” on page 11).

In the Supplemental box, new items 2 and 3 have been introduced, respectively, to allow the applicant to make the necessary indications for the international application to be treated:

- in certain designated States, as an application for a certain kind of protection (PCT Rule 49*bis*.1(a) or (b));
- in the United States of America, as a continuation or continuation-in-part of an earlier application (PCT Rule 49*bis*.1(d)).

The Notes to the Request Form have been modified to reflect:

- the possibility for the receiving Office to waive the requirement that a separate power of attorney be submitted to it (notes to Box No. IV) (for further details see page 3);
- the new designation system, including the deletion of any reference to the confirmation of precautionary designations (notes to Box No. V) (for further details see cover page);
- the new way of indicating dates in the international application, in accordance with Section 110 of the Administrative Instructions, as in force from 1 January 2004 (notes to Box No. VI) (for further details see page 10);
- the easing of signature requirements upon filing the international application (notes to Box No. X) (for further details see page 3); and
- the requirement that, even if an indication is made in the request under PCT Rule 49*bis*.1(a),

(b) or (d), the applicant has to make an indication in respect of items 2 and 3 under PCT Rule 49*bis*.1(a), (b) or (d) upon entry into the national phase before the designated Offices concerned.

The Fee Calculation Sheet and the notes thereto have been modified so as to take into account the amendments of the Regulations under the PCT which were adopted by the PCT Assembly at its thirty-first session held from 23 September to 1 October 2002, as well as the amendment of the Schedule of Fees annexed to the PCT Regulations as adopted by the PCT Assembly at its thirty-second session held from 22 September to 1 October 2003. References to the “basic fee” and the “designation fee” have been replaced by references to the new “international filing fee,” and amendments have been made to take into account the different amounts and categories of reductions of the international filing fee (that is, the reductions that are applicable where the request is filed using the PCT-EASY features of the PCT-SAFE software or where the international application is filed in electronic form, as well as the reduction available to applicants from least developed countries, whether natural persons or not, in addition to the case presently covered; for further details, see *PCT Newsletter* No. 10/2003, page 3).

All the sheets of the Request Form, including the Notes to the Request Form, the Fee Calculation Sheet and the notes thereto, are dated January 2004. The updated version of the Request Form should not be used for international applications filed before 1 January 2004; for international applications filed as from 1 January 2004, only the updated version of the Request Form should be used.

Demand Form (PCT/IPEA/401)

The heading of the Demand Form and the text of Box No. V have been modified to reflect the new automatic indication of all elections possible under the PCT.

Box No. IV “Basis for international preliminary examination” has been modified to reflect the new applicable time limit for the start of the international preliminary examination. Also, a new item 4 has been introduced to provide an option for the applicant to indicate that he wishes the international preliminary examination to start earlier than at the expiration of the applicable time limit under new PCT Rule 54*bis*.1(a).

The Notes to the Demand Form have been modified to reflect:

- the new time limit for filing a demand under the new system (under “Important general information”) (for further details see page 4);
- the new way of indicating dates in accordance with Section 110 of the Administrative Instructions, as in force from 1 January 2004 (notes to Box No. I) (for further details see page 10);
- the possibility for the receiving Office, the International Bureau or the International Preliminary Examining Authority to waive the requirement that a separate power of attorney be submitted to it (notes to Box No. III) (for further details see page 3);
- the time limit for start of the international preliminary examination (notes to Box No. IV); and
- the automatic indication of all elections possible under the PCT (notes to Box No. V) (for further details see page 4); and
- the easing of signature requirements upon filing the demand (notes to Box No. VII) (for further details see page 3).

The Notes to the Fee Calculation Sheet have been modified so as to take into account the amendment of the Schedule of Fees annexed to the PCT Regulations, which were adopted by the PCT Assembly at its thirty-second (14th ordinary) session held from 22 September to 1 October 2003 (that is, notes relating to the reduction of the handling fee for applicants from least developed countries are included in addition to the case presently covered.)

All the sheets of the Demand Form, including the Notes to the Demand Form, the Fee Calculation Sheet and the Notes thereto, are dated January 2004.

How to obtain copies of the Request and Demand Forms

January 2004 versions of the modified Request and Demand Forms, in English and French, together with their respective accompanying notes, will be included in the next update of the *PCT Applicant's Guide*, Vol. I/B, Annexes X and Y, respectively. As from the end of December 2003, copies of the modified Request Form in English, French, German and Spanish can also be obtained, free of charge, from receiving Offices and the International

Bureau, and copies of the modified Demand Form in those languages can also be obtained, free of charge, from receiving Offices, International Preliminary Examining Authorities and the International Bureau. Due to translation requirements, there may be a slight delay in the availability of those forms in other languages.

The January 2004 versions of the Request and Demand Forms in English and French are currently available, for reference purposes only, in PDF format on the PCT website, via the link “Request and Demand Forms in force from January 2004” at:

www.wipo.int/pct/en/forms/index.htm

Editable versions will be available from the beginning of December in English and French and shortly thereafter in Spanish and German.

The revised forms **must not be used for PCT applications filed before 1 January 2004**.

(Updating of *PCT Applicant's Guide*, Vol. I/B, Annexes X and Y) ■

Important Notice for PCT-EASY/ PCT-SAFE Users

Concurrent to the entry into force, on 1 January 2004, of the amendments to the PCT Regulations, the PCT-EASY software will be replaced by PCT-SAFE. As PCT-SAFE incorporates full PCT-EASY functionality—allowing for the creation and printing of the validated PCT-EASY Request Form and the PCT-EASY diskette—the distribution of PCT-EASY as a separate software product will be discontinued. Consequently, as of 1 January 2004, **all PCT-EASY users are requested to upgrade their current software to the new PCT-SAFE software**.

For the convenience of PCT users, PCT-SAFE will be made available before 1 January 2004.

Note: the PCT-SAFE software must not be used for the filing of PCT applications before 1 January 2004.

The PCT-SAFE software will be made available for download from the PCT-SAFE website (www.wipo.int/PCT-SAFE) and as a CD installation. If you would like to pre-order a copy of the PCT-SAFE CD (which will be distributed during the second half of December 2003), please send an e-mail (pcstasy.help@wipo.int) or fax (+41-22 338 80 40) to the PCT-EASY Help Desk, indicating clearly your name, full

postal address and the mention “Request for PCT-SAFE CD.”

For further information on PCT-SAFE, visit the PCT-SAFE website at:

www.wipo.int/pct-safe

For information on the filing of PCT applications using the PCT-SAFE software with the International Bureau as receiving Office, see *PCT Newsletter* No. 09/2003. ■

EPO: Change Concerning PCT Applications for Which it Will Act as ISA and/or IPEA

Further to the information received from the European Patent Office (EPO) concerning the limitations relating to the PCT applications for which it will act as International Searching Authority (ISA) and/or International Preliminary Examining Authority (IPEA), which was published in *PCT Newsletter* No. 12/2001 (cover page), the EPO has notified the International Bureau of changes to those limitations which will affect certain international applications and demands filed as from 1 January 2004, and certain demands filed as from 1 July 2004, as follows:

“...the EPO will resume its competence as International Searching Authority and International Preliminary Examining Authority for international applications filed as from 1 January 2004 by nationals or residents of the United States of America where such applications contain one or more claims relating to the field [of] biotechnology...”

—see list of International Patent Classification (IPC) units under “Biotechnology” on page 5 and 6 of *PCT Newsletter* No. 12/2001 and in the “Notice from the President of the European Patent Office dated 26 November 2001” on the EPO website at:

www.european-patent-office.org/epo/president/e/2001_12_11_e.htm

“The EPO will also resume its competence as International Preliminary Examining Authority in respect of international applications filed by nationals or residents of the United States of America containing one or more claims relating to the field of telecommunications [...] where the corresponding demand is filed on or after 1 July 2004”

—see list of IPC units under “Telecommunication” on page 6 of *PCT Newsletter* No. 12/2001 and in the above-mentioned EPO Notice.

The limitations concerning applications in the field of business methods remain in effect and the EPO is not competent to act as ISA or IPEA in respect of such applications for the remainder of the three-year term referred to in the above-mentioned EPO Notice. ■

telephone: (86–10) 62 01 32 76 (general)
(86–10) 62 08 55 77 (PCT matters)

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

PCT Information Update

International filing fee and handling fee (various offices)

Equivalent amounts have been established in the prescribed currencies for the new international filing fee as well as for the new amount of the handling fee. The new amounts, **applicable as from 1 January 2004**, are set out in the table below, and will be incorporated into the PCT Fee Tables in *PCT Newsletter* No. 12/2003.

CN China (telephone and fax numbers)

One of the telephone numbers of the China Intellectual Property Office has changed. The telephone numbers to be used are now as follows:

CS Serbia and Montenegro (country code)

See "YU Serbia and Montenegro," below.

IL Israel (notification of applicable technical requirements for international applications containing sequence listings and/or tables related thereto)

Further to its notification that it accepts the filing of international applications containing a sequence listing part filed on an electronic medium under Section 801(a)(i) or (ii) of the Administrative Instructions (see *PCT Newsletter* No. 02/2001, page 7), the Israel Patent Office, in its capacity as receiving Office, has notified the International Bureau that, as of 10 October 2003, it is also prepared to accept

Fee	International filing fee	Fee per sheet in excess of 30	Reductions (Schedule of fees, item 4)			Handling fee
			PCT-EASY	Electronic filing not character coded	Electronic filing character coded	
Currency	Rule 15.2(a)	Rule 15.2(a)				Rule 57.2(a)
CHF	1,400	15	100	200	300	200
AUD	1,525	16	109	n.a.	n.a.	218
CAD	1,394	15	100	n.a.	n.a.	n.a.
CYP	526	6	n.a.	n.a.	n.a.	n.a.
DKK	6,700	70	480	n.a.	n.a.	n.a.
EUR	902	10	64	129	193	129
GBP	628	7	45	n.a.	n.a.	n.a.
ISK	80,000	900	5,700	n.a.	n.a.	n.a.
JPY	116,000	1,200	8,300	n.a.	n.a.	16,600
KRW	1,191,000	13,000	85,000	n.a.	n.a.	170,000
MWK	111,100	1,200	7,900	n.a.	n.a.	n.a.
NOK	7,370	80	530	n.a.	n.a.	n.a.
NZD	1,738	19	124	n.a.	n.a.	n.a.
SEK	8,140	90	580	n.a.	n.a.	1,160
SGD	1,785	19	128	n.a.	n.a.	n.a.
USD	1,035	11	74	148	222	148
ZAR	7,490	80	530	n.a.	n.a.	n.a.

the filing with it of tables related to sequence listings. The Office has also specified that it requires three copies of the electronic carrier. As a consequence, the text of the current item "number of copies required" has been modified to read "number of copies on paper" since it now refers only to the rest of the international application.

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

YU Serbia and Montenegro (country code)

The change to the two-letter code for Serbia and Montenegro which was announced in *PCT Newsletter* No. 08/2003 (August 2003) from YU to CS has been suspended while the International Organization for Standardization, which is responsible for the assignment of such two-letter codes, reconsiders this change. Until this matter is resolved, the PCT will continue to use the two-letter code YU for Serbia and Montenegro.

(Updating of *PCT Applicant's Guide*, Vol. I/A, Annex A, Annex B1 (YU), Vol. I/B, Annex C (YU) and Vol. II/D, National Chapter, Summary (YU)) ■

Publication Schedule and Non-Working Days at the IB During the Holiday Period

Non-working days at the International Bureau (International Bureau)

The non-working days at the International Bureau during the end-of-year holiday period, in addition to the weekends, will be 25 and 26 December 2003 and 1 and 2 January 2004. The International Bureau will be open for business on 22, 23, 24, 29, 30, and 31 December 2003.

Closing dates of the PCT Information Service

The PCT Information Service will not be in operation from Thursday, 25 December 2003 to Friday, 2 January 2004, inclusive. It will commence operations again at 9.00 a.m., Geneva time, on Monday, 5 January 2004.

Note, however, that if you call the PCT Information Service (telephone: (41-22) 338 83 38) during the holiday period, there will be a facility for leaving messages and a telephone number will be given for use in case of matters requiring urgent attention.

It is recalled that the PCT Information Service answers general inquiries about the filing of international applications and the procedure to be followed during the international phase of the PCT.

Please note that correspondence relating to specific international applications should be addressed to the PCT Operations Division, by fax at:

(41-22) 740 1435

or to the specific fax number indicated on the IB forms, or you can telephone the "authorized officer" directly at the number indicated on the IB forms.

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Publication schedule and technical preparations for publication

The *PCT Gazette* and the PCT pamphlets (published PCT applications) will, during the forthcoming holiday period, be published on Wednesdays, 24 and 31 December 2003, instead of on the usual publication day, Thursday (up until 18 December 2003, and from 8 January 2004 onwards, they will be published, as usual, on Thursday). Note that, exceptionally, the publication of 31 December 2003, even though it will be published in 2003, will carry the publication number 01/2004.

As from the publication date of 18 December 2003, the completion of technical preparations for publication will take place earlier than the usual 15 days before publication; the schedule for the completion of technical preparations for publication will return to normal for international applications that will be published on 22 January 2004. For further details, see the table on the next page, which gives the schedule for the publications that will be affected, and the respective dates on which the technical preparations for publication will be completed.

Any applicant who, in respect of an international application to be published during the above-mentioned period, wishes to make any change which should be taken into account for

International publication: dates affected by forthcoming holiday period	
<i>Date of international publication</i>	<i>Last day on which applicant's communication must reach the International Bureau</i>
Thursday, 18 December 2003	Tuesday, 2 December 2003
Wednesday, 24 December 2003	Monday, 8 December 2003
Wednesday, 31 December 2003	Friday, 12 December 2003
Thursday, 8 January 2004	Thursday, 18 December 2003
Thursday, 15 January 2004	Wednesday, 24 December 2003
Thursday, 22 January 2004	Wednesday, 7 January 2004

the purposes of international publication, should be aware of the above-mentioned dates. For example, if the applicant wishes to withdraw the international application, a designation or a priority claim under PCT Rules 90*bis*.1(c), 90*bis*.2(e) or 90*bis*.3(e), in sufficient time to prevent international publication thereof, or if the applicant wishes to amend any of the claims under PCT Article 19 and the time limit under PCT Rule 46.1 will expire, or to change an indication concerning the applicant, agent, common representative or inventor under PCT Rule 92*bis*—any such notice must reach the International Bureau by the date indicated in the right hand column of the table if the changes are to be reflected in the international publication.

It is, as always, strongly recommended that applicants notify the International Bureau of any change **as early as possible before completion of technical preparations**, preferably by fax, bearing in mind that more time will be needed if the International Bureau has to take any action in connection with the matter in the last few days before the completion of technical preparations for publication. ■

Reminder re Modification of PCT Application Numbering System and Year Format

It is recalled that the serial number component of the international application number, as well

as the year format in both the international application number and the international publication number, will be modified with effect from 1 January 2004.

Section 307 of the Administrative Instructions, which relates to the numbering of international applications, currently provides for a five-digit serial number component, and will, as from 1 January 2004, provide for a six-digit serial number. Both Sections 307 and 404 of the Administrative Instructions, which currently provide for a two-digit indication of the year, will, as from 1 January 2004, provide for a four-digit indication of the year.

Section 110 of the Administrative Instructions, which relates to the indication of dates, has also been modified, with effect from 1 January 2004, so as to be consistent with the corresponding parts of Sections 307 and 404. For example, under current Section 110 a date in an international application, for example a priority date, should be indicated as follows: 20 March 2004 (20.03.04 or 20/03/04 or 20-03-04); under Section 110 as amended with effect from 1 January 2004, a priority date should be indicated as follows: 20 March 2004 (20.03.2004 or 20/03/2004 or 20-03-2004). ■

New/Updated PCT Materials on the Internet

Consolidated version of the Regulations under the PCT

The consolidated version of the Regulations under the Patent Cooperation Treaty as in force from January 1, 2004, is now available from the PCT website in English and French. This version incorporates the amendments adopted on October 1, 2003, as well as all previous amendments. Important transitional arrangements apply to many of the amendments and these will be included as notes in a later edition of this text to be issued shortly.

The text is in Adobe PDF and may be downloaded from the "New on the PCT website" box on the home pages of the PCT website:

www.wipo.int/pct/en/

www.wipo.int/pct/fr/

It is also linked to from the usual legal texts page on the website:

www.wipo.int/pct/en/texts/index.htm

www.wipo.int/pct/fr/texts/index.htm

PCT Forms applicable as from 1 January 2004

Revised Request and Demand Forms and revised Forms relating to the PCT receiving Offices, International Searching Authorities and International Preliminary Examining Authorities, which enter into force on 1 January 2004, are available, for reference purposes only, in English and French in PDF format by clicking on the link “Forms in force from January 2004” on the PCT website at:

www.wipo.int/pct/en/forms/index.htm

Note that these forms **may be used only on or after 1 January 2004**. Editable PDF versions of the Request and Demand Forms will be available at the beginning of December.

Report of the PCT Assembly

The Report of the thirty-second session of the PCT Assembly, which was held between 22 September and 1 October 2003, is now available on the PCT website at:

www.wipo.int/pct/en/meetings/assemblies/index.htm

PCT Reform

Documents relating to the forthcoming fifth session of the Working Group on Reform of the PCT, to be held from 17 to 21 November 2003, are available on the PCT website at:

www.wipo.int/pct/en/meetings/reform_wg/index.htm

Patent Cooperation Treaty and Regulations in Arabic

The Patent Cooperation Treaty and Regulations are now available in Arabic (in PDF format) on the PCT website at:

www.wipo.int/ar/treaties/registration/pct/pdf/pct_treaty.pdf

www.wipo.int/ar/treaties/registration/pct/pdf/pct_regulations.pdf

Japanese Website

A number of PCT texts, including the PCT Treaty, Regulations under the PCT (as in force from January 2003), PCT Seminar Materials, extracts from the PCT Newsletter, and PCT-related press releases and updates, have been

translated into Japanese and are now available from:

www.wipo.int/ja/pct/

Yearly Review of the PCT: 2002

The Yearly Review of the PCT: 2002 is now available on the PCT website in Arabic, Chinese and Russian, in addition to English and Japanese, at, respectively:

www.wipo.int/ar/pct/activity/pct_2002.pdf

www.wipo.int/cn/pct/activity/pct_2002.pdf

www.wipo.int/ru/pct/activity/pct_2002.pdf

The French, Portuguese and Spanish translations will follow shortly. ■

Practical Advice

The non-designation of certain States in the new Request Form, applicable as from 1 January 2004

Q: I have heard that as from 1 January 2004, although all States will automatically be designated, it will be possible to choose not to designate Germany, the Republic of Korea and the Russian Federation. Why are those three States treated differently, and why would an applicant wish not to designate those States?

A. It is recalled that in October 2002, the PCT Assembly adopted, among others, amendments to PCT Rule 4.9 giving the applicant an automatic and all-inclusive coverage of all designations under the PCT when filing a PCT request, and that PCT Rule 4.9(b), as amended, contains the following transitional reservation provision:

“...if, on October 1, 2002, the national law of a Contracting State provides that the filing of an international application which contains the designation of that State and claims the priority of an earlier national application having effect in that State shall have the result that the earlier national application ceases to have effect with the same consequences as the withdrawal of the earlier national application, any request may, for as long as that national law continues to so provide, contain an indication that the designation of that State is not made, provided that the designated Office informs the International Bureau by January 1, 2003, that this paragraph shall apply in respect of designations of that State...”

Germany (DE), the Republic of Korea (KR) and the Russian Federation (RU) have each made use of this transitional reservation provision given that the respective national laws of these three countries provide for the automatic withdrawal of an earlier national application if a later international application claims priority of that earlier national application and designates the country concerned (known as “self-designation”). DE, KR and RU have accordingly notified the International Bureau that PCT Rule 4.9(b) applies to them (see *PCT Newsletter* No. 02/2003, page 5). Applicants will therefore be able to indicate that those States are not designated for any kind of national protection, and by doing so, will avoid the ceasing of the effect, under the respective national laws, of an earlier national application, filed in that country, from which priority is claimed.

For this reason, the new Request Form, applicable with effect from 1 January 2004, contains check-boxes in Box No. V enabling applicants to exclude DE, KR and/or RU from

the automatic and all-inclusive coverage of designations. Note, however, that if any of those check-boxes are marked, the designations concerned are **irrevocably** excluded. The designations of DE for the purposes of a European patent and of RU for the purposes of a Eurasian patent are not affected by what is said above.

Note that even though no other State has notified the International Bureau that PCT Rule 4.9(b) applies to it, the consequences described above with respect to the earlier national application, the priority of which is claimed, may also apply to other States, for example, Japan (information on any such situation is under preparation for publication in the *PCT Applicant's Guide*, Vol. I/A, Annex B1). In such a case, however, the applicant will not be able to exclude the designation from the Request Form as in the case of DE, KR and RU, but may wish to consider submitting, separately from the request, a notice of withdrawal of the designation concerned. ■

PCT Seminar Calendar			
Dates and location	Language of seminar	Nature of seminar; WIPO speakers (and others where known)	Organizer and contact numbers
14 November 2003 London (GB)	English	PCT presentation at the Annual Senior Patent Administrators' Conference 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
17-18 November 2003 Port Moresby (PG)	English	WIPO National Seminar on the Patent Cooperation Treaty WIPO speaker: Mr. Sinha	Intellectual Property Office of Papua New Guinea (IPOPNG) (Mr. Gai Araga) Tel: (675) 321 39 00 Fax: (675) 321 51 55 E-mail: gaia@ipa.gov.pg
18-19 November 2003 Tirana (AL)	English	WIPO National Seminar on the Importance of Patent Information and the PCT as a Source of Technical Information WIPO speakers: Mr. Herce-Vigil and Mrs. Simon-Vianès	Albanian Patent and Trademark Office Tel: (355-42) 344 12 Fax: (355-42) 344 12
20-21 November 2003 Manila (PH)	English	WIPO National Seminar on the PCT WIPO speaker: Mr. Sinha Other speakers: Mr. O'Keeffe (Australian Patent Office) and Mr. Jea-Hyun (Korean Intellectual Property Office)	Department of Trade and Industry, Intellectual Property Office (Philippines) (Mrs. Emma C. Francisco) Tel: (63-2) 752 54 50 Fax: (63-2) 890 48 62 E-mail: mail@ipophil.gov.ph
20-21 November 2003 Chisinau (MD)	English	WIPO National Seminar on the Importance of Patent Information and the PCT as a Source of Technical Information WIPO speakers: Mr. Herce-Vigil and Mrs. Simon-Vianès	State Agency on Industrial Property Protection (Mr. Nicolae Taran) Tel: (373-2) 44 32 53 Fax: (373-2) 44 01 19
24 November 2003 Geneva (WIPO Headquarters) (POSTPONED)	English, French, Spanish	PCT users' meeting: "PCT—At the Heart of Your Business Strategy" Speakers: Patent practitioners from IP law firms and companies such as Philips, The Procter & Gamble Company, Eli Lilly, Sanofi-Synthélabo and Nokia Program available at: www.wipo.int/meetings/2003/pctusers/en	World Intellectual Property Organization (WIPO) Tel: (41-22) 338 81 93 Fax: (41-22) 338 71 50 E-mail: paola.conti@wipo.int
9-10 December 2003 Paris (FR)	French	Basic PCT seminar on PCT procedures WIPO speakers: Mr. Baron and Mr. Genin	Institut national de la propriété industrielle (INPI) (Mrs. Christiane Sadrin) Tel: (33-1) 53 04 55 76 Fax: (33-1) 42 93 63 52

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PCT Seminar Calendar [continued]			
Dates and location	Language of seminar	Nature of seminar; WIPO speakers (and others where known)	Organizer and contact numbers
10 December 2003 London (GB)	English	PCT-EASY Workshop WIPO speaker: Mrs. Featherby	Management Forum Ltd Tel: (44-1483) 57 00 99 Fax: (44-1483) 53 64 24 E-mail: josephine.leak@management-forum.co.uk
11-12 December 2003 London (GB)	English	Advanced PCT course WIPO speaker(s): Mr. Barmes and Mr. Reischle	Management Forum Ltd (see above)
20-21 December 2003 Damascus (SY)	Arabic/ English	WIPO National Seminar on the PCT WIPO speakers: Mr. Abdelaziz and Mr. Regis	Directorate of Commercial and Industrial Property Protection, Ministry of Trade (Syrian Arab Republic) (Mr. Bachir Hazaa) Tel: (963-11) 513 73 34/8/9 Fax: (963-11) 512 23 90/512 01 07
7-9 January 2004 Zurich (CH)	English	PCT presentation within the framework of a Postgraduate Program in Intellectual Property WIPO speakers: Mr. H.G. Bartels and Mr. Barmes Other speaker: Mr. Jenny (European patent attorney)	Swiss Federal Institute of Technology Zurich (ETH), NDS Intellectual Property (Ms. Lili Tsiamis) Tel: (41-1) 632 68 08 Fax: (41-1) 632 13 67 E-mail: tsiamis@recht.gess.ethz.ch Internet: www.ndsip.ethz.ch
21 January 2004 Munich (DE)	German	PCT update seminar WIPO speaker: Mr. Matthes	Forum Institut für Management GmbH Tel: (49-6221) 500 500 Fax: (49-6221) 500 505 E-mail: Management@Forum-Institut.de
10-11 February 2004 Munich (DE)	German	Advanced PCT course 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
10-11 March 2004 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
16-17 April 2004 Concord, New Hampshire (US)	English	Basic PCT seminar for patent attorneys and patent administrators WIPO speaker: Mr. Maassel Other speaker: Mr. Reed (The Procter & Gamble Company (US))	Franklin Pierce Law Center (Ms. Carol Ruh) Tel: (1-603) 228 15 41, ext. 1108 Fax: (1-603) 224 33 42 E-mail: cruh@piercelaw.edu Internet: www.piercelaw.edu/TreatySem/Treatsem.htm
27 April 2004 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 E-mail: pheuze@fnde.asso.fr

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 or where the international application is filed in electronic form, as prescribed; see footnotes 2 and 7 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	GBP	Pound sterling	LSM	Lesotho loti	SEK	Swedish krona
IPEA	International Preliminary Examining Authority	BRR	Brazilian real	GEL	Georgian lari	LTL	Lithuanian litas	SGD	Singapore dollar
ISA	International Searching Authority	BYR	Belarussian rouble	GHC	Ghanaian cedi	LVL	Latvian lat	SIT	Slovenian tolar
n a	not applicable	BZD	Belize dollar	HRK	Croatian kuna	MAD	Moroccan dirham	SKK	Slovak koruna
RO	receiving Office	CAD	Canadian dollar	HUF	Hungarian forint	MDL	Moldovan leu	TJS	Tajik somoni
		CHF	Swiss franc	IDR	Indonesian rupiah	MKD	Macedonian denar	TND	Tunisian dinar
		CNY	Yuan renminbi	ILS	New Israel shekel	MWK	Malawian kwacha	TTD	Trinidad and Tobago dollar
		COP	Colombian peso	INR	Indian rupee	MXP	Mexican peso		
		CUP	Cuban convertible peso	ISK	Icelandic krona	NOK	Norwegian krone	UAH	Ukrainian hryvnia
		CYP	Cyprus pound	JPY	Japanese yen	NZD	New Zealand dollar	USD	US dollar
		CZK	Czech koruna	KES	Kenyan shilling	PHP	Philippine peso	VND	Vietnamese dong
		DKK	Danish krone	KGS	Kyrgyz som	PLZ	Polish zloty	YUD	Yugoslavian dinar
		DZD	Algerian dinar	KPW	KP won	ROL	Romanian leu	ZAR	South African rand
		EEK	Estonian kroon	KRW	KR won	RUR	Russian rouble	ZWD	Zimbabwe dollar
		EUR	Euro	KZT	Kazakh tenge	SDP	Sudanese pound		

Table I(a) — Transmittal, basic and designation fees
(as at 1 November 2003, 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 ^{2,7} (CHF 200)	Competent ISA(s) ⁸
AE	AED ⁹ —	AED eq CHF 650	15	140	n a	AT AU
AG	Information not yet available					
AL	ALL 9,000	CHF 650	15	140	n a	EP
AM	AMD 32,000	USD 476	12	104	148	EP RU
AP	USD 50 (or eq in local currency)	USD 476	12	104	148	AT EP SE
AT	EUR 50	EUR 444	10	96	137	EP
AU	AUD 100	AUD 746	17	161	230	AU
AZ	AZM 55,000	USD 476	12	104	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 476	12	104	n a	EP RU
BZ	BZD 220	USD 476	12	104	148	EP
BW	Information not yet available					

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Table I(a) — Transmittal, basic and designation fees [continued]
(as at 1 November 2003, 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 ^{2,7} (CHF 200)	Competent ISA(s) ⁸
CA	CAD 200	CAD 730 <i>(from 1.12.03: 643)</i>	17 <i>(15)</i>	157 <i>(138)</i>	224 <i>(198)</i>	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
CO	COP ⁹ —	COP eq USD 476	eq USD 12	eq USD 104	eq USD 148	AT, EP, ES, RU
CR	USD 175	USD 476	12	104	148	EP ES
CU	USD (or eq CUP)200	USD (or eq CUP)476	12	104	148	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
DE	EUR 90	EUR 444	10	96	137	EP
DK	DKK 1,500	DKK 3,300	80	710	1,020	EP SE
DM	Information not yet available					
DZ	DZD None	CHF 650	15	140	200	AT EP
EA	RUR eq USD 50	USD 476	12	104	148	EP RU
EC	USD ⁹ —	USD 476	12	104	148	EP ES
EE	EEK 1,800	EEK eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	EP
EG	Information not yet available					
EP ⁷	EUR 100	EUR 444	10	96	137 ⁷	EP
ES	EUR 62.74	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
GD	Information not yet available					
GE	GEL ¹⁰ 10	USD 476	12	104	148	EP RU
GH	GHC ¹¹ 2,500 or 5,000	USD 476	12	104	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 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 or EUR ¹² 68	CHF 650 or USD 476 or EUR 444	15 12 10	140 104 96	200 148 137	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 476	USD 476	12	104	148	EP US
IN	INR 5,000 (filing by indiv: 1,500)	USD 476	12	104	148	AT AU CN EP SE US

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Table I(a) — Transmittal, basic and designation fees [continued]
(as at 1 November 2003, 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 ^{2,7} (CHF 200)	Competent ISA(s) ⁸
IS	ISK 5,500	ISK 37,400	860	8,000	11,500	EP SE
IT	EUR 30.99	EUR 444	10	96	n a	EP
JP	JPY 18,000	JPY 54,000	1,200	11,600	16,600	EP JP
KE	USD (or KES equiv) ²⁵⁰ plus cost of mailing	USD 476	12	104	148	AT AU CN EP SE
KG	KGS eq USD 100	USD 476	12	104	148	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 ⁹ —	USD 476	12	104	148	EP RU
LR	USD 45	USD 476	12	104	n a	AT AU CN EP SE
LS	LSM ⁹ —	LSM eq CHF 650	eq CHF 15	eq CHF 140	n a	AT EP
LT	LTL 320	EUR 444	10	96	137	EP RU
LU	EUR 19	EUR 444	10	96	n a	EP
LV	LVL 47.20	USD 476	12	104	148	EP RU
MA	None	CHF 650	15	140	n a	AT EP RU SE
MC	EUR 49 ¹⁵	EUR 444	10	96	n a	EP
MD	MDL 180	USD 476	12	104	148	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 6,000	MWK 25,000	600	5,400	7,700	EP
MX	MXP ³ eq USD 200	MXP eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	EP ES SE US
NI	USD 175	USD 476	12	104	148	EP ES
NL	EUR 50	EUR 444	10	96	137	EP
NO	NOK 500	NOK 3,560	80	770	1,090	EP SE
NZ	NZD 180 ¹⁶	NZD 890	20	192	274	AU EP US
OA	Information not yet available					
OM	Information not yet available					
PG	Information not yet available					
PH	PHP 3,500	USD 476	12	104	148	AU EP JP KR US
PL	PLZ 300	PLZ eq CHF 650	eq CHF 15	eq CHF 140	n a	EP
PT	EUR 30	EUR 444	10	96	137	EP
RO	ROL 300,000	CHF 650	15	140	200	AT EP RU
RU	RUR 294	USD 476	12	104	148	EP RU
SC	Information not yet available					
SD	SDP 50	SDP eq CHF 650	eq CHF 15	eq CHF 140	n a	EP
SE	SEK 1,200	SEK* 3,940	90	850	1,210	EP SE
SG	SGD 150	SGD 828	19	178	255	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
SY	Information not yet available					

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Table I(a) — Transmittal, basic and designation fees [continued]
(as at 1 November 2003, 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 ^{2,7} (CHF 200)	Competent ISA(s) ⁸
TJ	TJS ⁹ —	USD 476	12	104	n a	EP RU
TM	USD ⁹ —	USD 476	12	104	148	EP RU
TN	TND ⁹ —	CHF 650	15	140	n a	EP
TR	CHF 100	CHF 650	15	140	200	EP
TT	TTD 750	USD 476	12	104	148	AT EP SE US
UA	UAH 255	USD (or eq UAH) 476	12	104	n a	EP RU
US	USD 240	USD 476	12	104	148	EP US
UZ	USD ⁹ —	USD 476	12	104	148	EP RU
VC	Information not yet available					
VN	VND eq USD 150	VND eq CHF 650	eq CHF 15	eq CHF 140	n a	AT AU EP KR RU SE
YU	YUD 3,000	YUD eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	EP
ZA	ZAR 500	ZAR 3,580	80	780	1,100	AT AU EP US
ZM	Information not yet available					
ZW	ZWD 6,000	ZWD eq USD 476	eq USD 12	eq USD 104	eq USD 148	AT AU CN EP RU

Table I(b) — Search fees
(as at 1 November 2003, unless otherwise indicated)

ISA	Search fee ¹									
AT	EUR 159	CHF 230	KRW 222,000	SGD 259	USD 183	ZAR 1,280				
AU	AUD 1,000	CHF 871	EUR 560	KRW 710,000	NZD 1,073	SGD 1,030				
	USD 592	ZAR 4,700								
CN	CNY 1,500	CHF 250	EUR 156	USD 180						
EP ¹⁷	EUR 945	CAD* 1,552	CHF 1,383	CYP 550	DKK 7,030	GBP 640				
	ISK* 78,000	JPY 129,500	MWK 53,000	NOK 7,830	NZD 1,889	SEK 8,720				
	SGD 1,930	USD 1,119	ZAR* 8,760							
	* (from 1.12.03)	CAD 1,457	ISK 83,000	ZAR 7,930)						
ES ¹⁷	EUR 945	CHF 1,383	USD 1,119							
JP	JPY 72,000	CHF 870	EUR 535	KRW 798,000	USD 611					
KR	KRW 150,000	CHF 163	EUR 130	USD 120						
RU ¹⁸	USD 300	CHF 410	EUR 258							
SE	SEK 8,720	CHF 1,383	DKK 7,030	EUR 945	ISK* 78,000	NOK 7,830				
	USD 1,119									
	* (from 1.12.03:	ISK 83,000)								
US	USD 700	450 ¹⁹	CHF 947	609 ¹⁹	EUR 615	395 ¹⁹	NZD 1,270	810 ¹⁹		
	ZAR 5,300	3,400 ¹⁹								

Table II — Preliminary examination fees
(as at 1 November 2003, unless otherwise indicated)

IPEA	Preliminary examination fee ²⁰		Handling fee ^{3,20} (CHF 233)		
AT	EUR	159	EUR	159	
AU	AUD	550	1,000 ²¹	AUD	267
CN	CNY	1,500	CNY eq CHF	233	
EP ¹⁷	EUR	1,530	EUR	159	
ES	EUR	493.11	EUR	159	
JP	JPY	28,000	JPY	19,200	
KR	KRW	150,000	KRW	190,000	
RU ¹⁸	USD	200 ²²	300 ²³	USD	172
SE	SEK	5,000	SEK	1,410	
US	USD	490	750 ²⁴	USD	172

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, Botswana, 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, Egypt, 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, Namibia (from 1 January 2004), Nicaragua, Niger, Papua New Guinea, Philippines, Poland, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Serbia and Montenegro, Sierra Leone, Slovakia, South Africa, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Tajikistan, The former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Republic of Tanzania, Uzbekistan, Viet Nam, 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 The same amount of reduction of the basic and designation fee as indicated in footnote 2 applies where the international application is filed in electronic form in accordance with and to the extent provided for in Part 7 and Annex F of the *Administrative Instructions* and where the international application is filed with a receiving Office which has notified the International Bureau under Section 710 of the *Administrative Instructions* that it is prepared to receive international applications in electronic form—only the European Patent Office and the National Institute of Industrial Property (INPI) (France) have sent such a notification so far.
- 8 For the search fee payable to the receiving Office, consult the entry in Table I(b) for the competent International Searching Authority.
- 9 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.
- 10 This fee is reduced by 80% where the applicant is a natural person.
- 11 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.
- 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 Plus EUR 1 for the preparation of additional copies, for each page and each copy.
- 16 Plus 12.5% GST (Goods and Services Tax) for New Zealand residents.
- 17 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 Bulgaria, the Czech Republic, Estonia, Hungary, Romania, Slovakia and Turkey.
- 18 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.
- 19 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.
- 20 Payable to the International Preliminary Examining Authority in the currency or one of the currencies prescribed by it.
- 21 Payable when the international search report was not issued by the Australian Patent Office.
- 22 Payable when the international search report was established by the Russian Patent Office.
- 23 In all cases where footnote 22 does not apply.
- 24 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 (US)).

PCT Contracting States and Two-letter Codes (123 on 1 November 2003)



AE United Arab Emirates	CR Costa Rica	IL Israel	MN Mongolia	SY Syrian Arab Republic
AG Antigua and Barbuda	CY Cyprus (EP) ²	IN India	MR Mauritania (OA) ²	SZ Swaziland (AP) ²
AL Albania ¹	CZ Czech Republic (EP)	IS Iceland	MW Malawi (AP)	TD Chad (OA) ²
AM Armenia (EA)	DE Germany (EP)	IT Italy (EP) ²	MX Mexico	TG Togo (OA) ²
AT Austria (EP)	DK Denmark (EP)	JP Japan	MZ Mozambique (AP)	TJ Tajikistan (EA)
AU Australia	DM Dominica	KE Kenya (AP)	NA Namibia (from 1 January 2004)	TM Turkmenistan (EA)
AZ Azerbaijan (EA)	DZ Algeria	KG Kyrgyzstan (EA)	NE Niger (OA) ²	TN Tunisia
BA Bosnia and Herzegovina	EC Ecuador	KP Democratic People's Republic of Korea	NI Nicaragua	TR Turkey (EP)
BB Barbados	EG Egypt	KR Republic of Korea	NL Netherlands (EP) ²	TT Trinidad and Tobago
BE Belgium (EP) ²	EE Estonia (EP)	KZ Kazakhstan (EA)	NO Norway	TZ United Republic of Tanzania (AP)
BF Burkina Faso (OA) ²	ES Spain (EP)	LC Saint Lucia	NZ New Zealand	UA Ukraine
BG Bulgaria (EP)	FI Finland (EP)	LI Liechtenstein (EP)	OM Oman	UG Uganda (AP)
BJ Benin (OA) ²	FR France (EP) ²	LK Sri Lanka	PG Papua New Guinea	US United States of America
BR Brazil	GA Gabon (OA) ²	LR Liberia	PH Philippines	UZ Uzbekistan
BW Botswana (AP)	GB United Kingdom (EP)	LS Lesotho (AP)	PL Poland	VC Saint Vincent and the Grenadines
BY Belarus (EA)	GD Grenada	LT Lithuania ¹	PT Portugal (EP)	VN Viet Nam
BZ Belize	GE Georgia	LU Luxembourg (EP)	RO Romania (EP)	YU Serbia and Montenegro
CA Canada	GH Ghana (AP)	LV Latvia ¹	RU Russian Federation (EA)	ZA South Africa
CF Central African Republic (OA) ²	GM Gambia (AP)	MA Morocco	SC Seychelles	ZM Zambia (AP)
CG Congo (OA) ²	GN Guinea (OA) ²	MC Monaco (EP) ²	SD Sudan (AP)	ZW Zimbabwe (AP)
CH Switzerland (EP)	GQ Equatorial Guinea (OA) ²	MD Republic of Moldova (EA)	SE Sweden (EP)	
CI Côte d'Ivoire (OA) ²	GR Greece (EP) ²	MG Madagascar	SG Singapore	
CM Cameroon (OA) ²	GW Guinea-Bissau (OA) ²	MK The former Yugoslav Republic of Macedonia ¹	SI Slovenia (EP) ²	
CN China	HR Croatia		SK Slovakia (EP)	
CO Colombia	HU Hungary (EP)		SL Sierra Leone (AP)	
	ID Indonesia		SN Senegal (OA) ²	
	IE Ireland (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 July 2003. The forms are reproduced in Annexes X and Y, respectively, in Vol. I/B of the *PCT Applicant's Guide* (July 2003 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. For details on the updated request form, to be used from 1 January 2004, see page 5.