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PCT Article 22(1): Withdrawal of Notification of Incompatibility

Brazil

The National Institute of Industrial Property (Brazil), in its capacity as designated Office, has notified the International Bureau that it has withdrawn, with effect from 30 April 2004, its notification of the incompatibility of PCT Article 22(1), as modified with effect from 1 April 2002, with its national law.

The (new) 30-month time limit under PCT Article 22(1) will therefore apply as from 30 April 2004 in respect of international applications for which the 20-month time limit expired on or after that date and in respect of which the acts referred to in PCT Article 22(1) had not yet been performed by the applicant. Now that Brazil has withdrawn its notification of incompatibility, the only remaining designated Offices that do not apply the 30-month time limit fixed in PCT Article 22(1) are the Offices of the eight States indicated at the bottom of page 2.

Electronic Filing and Processing of International Applications

Japan Patent Office begins receiving and processing international applications in electronic form

The Japan Patent Office (JPO), in its capacity as receiving Office, began receiving and processing international applications in electronic form on 28 April 2004.

The notification containing the JPO's requirements and practices with regard to the filing of international applications in electronic form was published in *PCT Gazette* No. 17/2004, Section IV, on

22 April 2004 and is available on the PCT website at:

[www.wipo.int/pct/en/gazette/
weekissu.htm](http://www.wipo.int/pct/en/gazette/weekissu.htm)

For information on the newly established equivalent amount in JPY of the applicable fee reduction for electronic filing, see "PCT information update," on page 5.

Harare Protocol

Accession by Namibia

Namibia, which became bound by the PCT on 1 January 2004, deposited, on 23 January 2004, its instrument of accession to the Harare Protocol within the framework of the African Regional Industrial Property Organization (ARIPO) and, as from 24 April 2004, the date on which Namibia became bound by that Protocol, the filing of a request constitutes the designation of Namibia for an ARIPO

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www.wipo.int/pct/en

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(www.wipo.int/pct/en/)**

Home 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-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 the PCT
- PCT Receiving Office Guidelines
- PCT International Search and International Preliminary Examination Guidelines
- PCT Contracting States
- Reservations and incompatibilities
- Time limits for entering national/regional phase
- PCT legal text index

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

patent, as well as for a national patent. Furthermore, nationals and residents of Namibia have been entitled, since 24 April 2004, to file international applications under the PCT with the ARIPO Office as receiving Office.

Paris Convention

Accession by Pakistan

On 22 April 2004, Pakistan (country code: PK) deposited its instrument of accession to the Paris Convention for the Protection of Industrial Property, thus bringing the total number of States party to that Convention to 168. Pakistan, which is not a PCT Contracting State, will become bound by the Paris Convention on 22 July 2004. This updates the list of States party to the Paris Convention that was published in *PCT Newsletter* No. 08/2003 (together with the list of States party to the PCT and Members of the WTO).

World Trade Organization

Nepal becomes a Member

On 23 April 2004, Nepal (country code: NP), which is already a member State of the Paris Convention but is not a member State of the PCT, became a Member of the World Trade Organization (WTO), thus bringing the total number of Members to 147. This updates the list of Members of the WTO that was published in *PCT Newsletter* No. 08/2003 (together with the list of States party to the PCT and the Paris Convention).

Reminder

The national Offices of the following States do not yet apply the 30-month time limit for entering the national phase under Chapter II as fixed in PCT Article 22(1) (as modified with effect from 1 April 2002). Note, however, that in respect of the regional designation of those States indicated with an asterisk, the time limit under PCT Article 22(3) of 31 months applies.

CH Switzerland*
FI Finland*
LU Luxembourg*
SE Sweden*
TZ United Republic of Tanzania*
UG Uganda*
YU Serbia and Montenegro
ZM Zambia*

A list of time limits applicable for each designated/elected Office for entering the national phase under Chapters I and II of the PCT is available at:

www.wipo.int/pct/en/access/legal_text.htm

Extension of European Patents to Croatia

An agreement between the European Patent Organisation and Croatia on the extension of the effects of European patent applications and patents to Croatia entered into force on 1 April 2004. Under that agreement, it is possible to obtain patent protection in Croatia by requesting the extension of a European patent to that State. The extension procedure is also available, if the necessary requirements are met, via the PCT. The agreement with Croatia is similar to those in force in respect of Lithuania, Latvia, Albania and the former Yugoslav Republic of Macedonia (see *PCT Newsletter* Nos. 05/1994, 05/1995, 12/1995, 02/1996 and 11/1997).

Note that Croatia is not party to the European Patent Convention (EPC) and cannot be designated for a European patent (EP).

The extension of a European patent to Croatia via the PCT route is available in respect of international applications filed on or after 1 April 2004. A request for the extension of a European patent to Croatia may be made if:

- (i) the designation of Croatia is not withdrawn; and
- (ii) the international filing fee is paid.

No special entry concerning the extension should be made on the PCT request form. Within 31 months (Chapter I or Chapter II) from the priority date, the applicant must enter the regional phase before the European Patent Office (EPO)—a request for extension of the European patent is automatically deemed to have been made—and pay to the EPO the extension fee (currently EUR 102) for the extension of the European patent to Croatia. If the 31-month time limit has been missed, the extension fee may also be validly paid, with a surcharge of 50%, within the grace period provided for in the EPC for payment of the designation fees.

The request for extension will be considered withdrawn if, upon entry into the regional phase before the EPO, the extension fee is not paid within the applicable time limit. Note, however, that no notification of non-observance of the basic time limit or expiry of the period of grace will be issued, and that re-establishment of rights is not possible in respect of payment of the extension fee.

A European patent application for which extension to Croatia has been requested is equivalent

to a duly filed national application in Croatia and, after publication, confers provisional protection, provided the applicant communicates to the invention's user in Croatia a translation of the claims into the national language (that is, Croatian).

Upon completion of the European procedure, the EPO will inform the Croatian Intellectual Property Office of the grant of the European patent. That patent will have the effect of a national patent granted by the latter Office, provided that, within three months from publication of the mention of the grant of a European patent in the *European Patent Bulletin*, a translation of the claims into Croatian is filed with, and the prescribed fees are paid to, the Croatian Intellectual Property Office. Renewal fees for the patent will have to be paid to the Croatian Intellectual Property Office for the years following that in which the mention of the grant of the European patent was published by the EPO.

The option of entering the national phase directly before the Croatian Intellectual Property Office within 31 months from the priority date, instead of proceeding with a request for the extension of a European patent to Croatia, remains available for any international application provided that the designation of Croatia has not been withdrawn.

For further details, see the March issue of the *Official Journal of the EPO* (OJ EPO 2004, 117), available on the EPO website at:

www.european-patent-office.org/epo/pubs/oj004/index_e.htm

The Usefulness of the Revised PCT International Search and Preliminary Examination Guidelines for Applicants

As previously announced in *PCT Newsletter* No. 04/2004 (cover page), the new PCT International Search and Preliminary Examination Guidelines (dated 11 March 2004) are now available, replacing the separate PCT International Search Guidelines and PCT International Preliminary Examination Guidelines. The Guidelines have been revised to incorporate the amendments to the Regulations under the Patent Cooperation Treaty (PCT) which came into force on 1 January 2004, the main change relating to the procedure before the International Searching and Preliminary Examining Authorities being that the establishment of an examiner's written opinion is incorporated into the international search procedure instead of only occurring during international preliminary examination. As a PCT applicant or patent

practitioner, you may find it useful to consult the new Guidelines since, in addition to containing detailed information on the international search and preliminary examination procedures, they contain useful summaries of those procedures as well as information relevant to preparing and filing PCT applications.

Contents of the Guidelines

Of particular use to PCT applicants who want to understand the new PCT search and examination system, Part I of the revised Guidelines gives a useful introduction to the new system, providing a general overview of the international search and preliminary examination stages of the PCT international application process. Further details of the various specific requirements, concepts and processes are set out in the remainder of the Guidelines, as follows:

- Part II: the requirements relating to the description and claims and how they are interpreted for the purposes of international search and preliminary examination, together with notes concerning priority, classification and rectification of obvious errors;
- Part III: concepts which are relevant to both the international search stage and the international preliminary examination stage, including novelty, inventive step, industrial applicability, unity of invention and exclusions from and limitations of international search and preliminary examination;
- Part IV: detailed discussion of the international search;
- Part V: the content of written opinions (both of the International Searching Authority and the International Preliminary Examining Authority) and the international preliminary examination report;
- Part VI: procedures during the international preliminary examination;
- Part VII: a common quality framework for international search and preliminary examination, in order to minimize differences in the results of the search and examination process among the various Authorities. Where practices differ between the Authorities, appendices to the main chapters throughout the Guidelines set out the alternative possibilities which may apply.
- Part VIII: clerical and administrative procedures within the International Preliminary Examining Authority.

Purpose and status of the Guidelines

The Guidelines are designed to give instructions to the Authorities as to the practice to be followed during the international search and examination procedures. In addition, they are useful to the designated and elected Offices in the national phase in better understanding the international search and examination reports.

All ISAs and IPEAs have written agreements with WIPO under which they agree to be guided by the Guidelines in their work as PCT Authorities.

How to obtain the Guidelines

The Guidelines are available in paper form (for details, see *PCT Newsletter* No. 04/2004) and on the PCT website at:

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

Time Limits for Entering the National Phase

An updated version of the table of time limits for entering the national phase, that was last published in *PCT Newsletter* No. 08/2003, is included in the center of this issue. The table 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 updated table takes into account changes since 1 April 2002, including the applicable time limits following the withdrawal by certain Offices of notifications of non-applicability of the new time limit under PCT Article 22(1), and new time limits for certain Offices under PCT Articles 22(3) and 39(1)(b).

Power of Attorney Waivers

Notifications under PCT Rules 90.4(d) and 90.5(c) by PCT Offices/Authorities

For background information on the above-mentioned notifications, see *PCT Newsletter* No. 01/2004, page 2.

Waiver

The following Office has informed the International Bureau that it waives the requirement

under PCT Rules 90.4(b) and/or 90.5(a)(ii) to submit a separate power of attorney and/or a copy of a general power of attorney, as follows:

MD State Agency on Industrial Property Protection (Republic of Moldova), in its capacity as receiving Office (RO), waives the requirement to submit a separate power of attorney and/or a copy of a general power of attorney. Particular instances in which a separate power of attorney or a copy of a general power of attorney is required:

upon appointment of, or for any paper submitted by, an agent or a common representative who was not indicated in the request form at the time of filing

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

Ending of Period of Interruption in the Postal Service in Ireland

The Patents Office (Ireland) has informed WIPO that the general interruption and dislocation in the postal service which began in Ireland on 22 March 2004, and was announced in *PCT Newsletter* No. 04/2004, terminated on 30 April 2004. (See notice on the website of the Office at: www.patentsoffice.ie)

PCT Information Update

ES Spain (fees)

The Spanish Patent and Trademark Office has notified WIPO that the 75% reduction in the preliminary examination fee, referred to in footnote 1 of Annex E(ES) of the *PCT Applicant's Guide*, which was published as a provisional sheet for the *Guide* in *PCT Newsletter* No. 01/2004, is not applicable. That footnote has therefore been deleted.

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

JP Japan (fees; institutions with which deposits of microorganisms and other biological material may be made)

An equivalent amount in JPY has been established for the fee reduction given if an international application is validly filed in electronic form and the text of the description, claims and abstract is in character coded format (see item 3(c) of the PCT Schedule of Fees annexed to the PCT Regulations). That amount is JPY 24,900 and is published in footnote 5 of the PCT fee tables in this issue.

In respect of institutions with which deposits of microorganisms and other biological material may be made, the Japan Patent Office has notified WIPO of:

- a new depositary institution, as follows:

National Institute of Technology and Evaluation,
Patent Microorganisms Depositary (NPMD)
2-5-8 Kazusakamatari
Kisarazu-city
Chiba 292-0818, Japan

- a change in the name of the International Patent Organism Depositary (IPOD), an existing international depositary authority under the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure, as follows:

International Patent Organism Depositary (IPOD), National Institute of Advanced Industrial Science and Technology (AIST)
AIST Tsukuba Central 6, 1-1,
Higashi 1-chome
Tsukuba-shi, Ibaraki-ken 305-8566, Japan

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

Search fee (Australian Patent Office, European Patent Office)

As from 1 June 2004, there will be a change in the equivalent amount payable in JPY for an international search carried out by the European Patent Office, as indicated in Table I(b).

As from 1 July 2004, there will be changes in the equivalent amounts payable in ZAR for international searches carried out by the Australian Patent Office and the European Patent Office, as indicated in Table I(b).

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

New/Updated PCT Materials on the Internet

(PCT homepage: www.wipo.int/pct/en/)

Video presentations about recent amendments to PCT Regulations

In addition to the video presentation in English that was announced in *PCT Newsletter* No. 03/2004, WIPO has also produced video presentations in French, German and Japanese outlining the amendments to the PCT Regulations which entered into force on

1 January 2004, which are now available on the PCT website.

The videos include information on the enhanced international search and preliminary examination system, the new designation system and changes regarding access to the file. The videos, featuring Christine Bonvallet (Legal Officer, PCT Legal Affairs Section), Matthias Reischle (Head, PCT Legal Affairs Section) and Toshiaki Nakamaki (Counsellor, PCT External Legal Relations Service) for the three versions, respectively, all of whom are frequent PCT seminar presenters—can be downloaded or viewed online in three different formats, depending on your connection speed, from the “New on the PCT website” box on the PCT homepage, at, respectively:

www.wipo.int/pct/fr/index.html
www.wipo.int/pct/de/index.html
www.wipo.int/ja/pct/index.html

Consolidated version of Regulations under the PCT including transitional arrangements—German text

The German text of the consolidated version of the Regulations under the PCT, as in force from 1 January 2004, is available at:

www.wipo.int/pct/de/texts/pdf/pct_reg.pdf

It includes, at the end, notes containing important transitional arrangements which apply to many of the amendments to the PCT Regulations which entered into force on 1 January 2004. It is recalled that the English, French and Japanese versions of the Regulations and transitional provisions are also available on the PCT website.

Yearly Review of the PCT: 2003

The Yearly Review of the PCT: 2003 is now available on the PCT website in Japanese (in addition to the English version) at:

www.wipo.int/ja/pct/

Table of time limits for entering the national/regional phase

The table of time limits for entering the national/regional phase under PCT Chapters I and II, as updated on 1 May 2004, is now available, in English and French, at, respectively:

www.wipo.int/pct/en/access/legal_text.htm
www.wipo.int/pct/fr/access/legal_text.htm

(The English version of the table is also included in this issue (see pages 4 and 7 to 10)).

Practical Advice

Automatic designation of all PCT Contracting States: alternative to withdrawing a designation where there is no intention to enter the national phase in that State

Q: In the context of the new all-inclusive designation system, I read your recent “practical advice” articles on the signature requirements for withdrawals of designations (in PCT Newsletter Nos. 01 and 02/2004). Wishing to avoid unnecessary paperwork, I would like to know whether it is necessary to withdraw a designation if there is no intention to enter the national phase in a particular State, and what the consequences are of not withdrawing the designation?

A: There is no obligation to formally withdraw a designation if you do not intend to enter the national phase in the State concerned. By not performing the acts necessary under PCT Article 22 (or 39(1)) within the applicable time limit for entry into the national phase in that State, your international application will simply cease to have any effect in that State with the same consequences as the withdrawal of a national application in that State (PCT Article 24(1)(iii)).

By simply not taking any action to enter the national phase within the prescribed time limit, you will avoid having to send a notice of withdrawal, and you will also avoid having to furnish the signatures of all the applicants which will be required to make such a withdrawal (unless they have previously appointed the agent or common representative submitting the withdrawal). Also, by not withdrawing the designation, you will be keeping your options open, in case you change your mind, to enter the national phase in the State concerned before the expiration of the time limit under PCT Article 22 or 39(1) (whichever is applicable). Once a designation has been withdrawn, the effect of the international application in that State ceases (see PCT Article 24(1)(i)), and, although it would depend on the national law of the State concerned, you would normally not be able to enter the national phase in that State.

Note that under certain circumstances it may be advisable to withdraw certain designations. It is recalled that the national laws of certain States provide for automatic withdrawal of an earlier national application if a later international application claims priority of that earlier national application and designates the country concerned. The earlier national application will

[continued on page 11]

**Time Limits for Entering National/Regional Phase
Under PCT Chapters I and II**

Applicable on 1 April 2002 or Subsequently

(table updated on 1 May 2004—changes since 1 April 2002 are underlined)

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

Note that unless information appears in the right column or a 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.

Note that detailed information on the excuse of delays in meeting time limits before certain designated/elected Offices is contained in the corresponding National Chapters of the *PCT Applicant's Guide*, Vol. II.

DO/EO¹	Chapter I (under PCT Article 22)	Chapter II (under PCT Article 39(1))	Information specific to the Office concerned (where applicable, see also footnotes at end of table)
Regional Offices			
AP	<u>31²</u>	31 ³	Office acts as designated/elected Office (DO/EO) for the following State which does not act in the capacity of DO/EO: SZ.
EA	31 ²	31 ³	
EP	31 ²	31 ³	Office acts as DO/EO for the following States which do not act in the capacity of DO/EO: BE, CY, FR, GR, IE, IT, MC, NL, SI.
OA	30	30	Office acts as DO/EO for the following States which do not act in the capacity of DO/EO: BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG.
National Offices			
AE	30	30	
AG⁴	30	30	
AL	30	31 ³	
AM⁵	30	31 ³	
AT⁶	30	30	
AU	<u>31^{*,2}</u>	31 ³	* The Office has withdrawn its notification of incompatibility of modified PCT Article 22(1) with the applicable national law with effect from 1 April 2002. This is the new time limit under PCT Article 22(3) applicable since 1 April 2002.
AZ⁵	30	31 ³	
BA	<u>34^{*,2}</u>	<u>34^{*,3}</u>	* Time limit under PCT Article 22(3) or 39(1)(b), as the case may be, applicable since 27 August 2002.
BB	30	30	
BG⁶	<u>31^{*,2}</u>	31 ³	* The Office has withdrawn its notification of incompatibility of modified PCT Article 22(1) with the applicable national law with effect from 9 July 2002. This is the new time limit under PCT Article 22(3) applicable since 9 July 2002.
BR	<u>30[*]</u>	30	* The Office has withdrawn its notification of incompatibility of modified PCT Article 22(1) with the applicable national law with effect from 30 April 2004. This is the time limit, applicable since 30 April 2004, under PCT Article 22(1), in respect of international applications for which the 20-month time limit expired on or after 30 April 2004 and in respect of which the acts referred to in PCT Article 22(1) had not yet been performed by the applicant.
BW⁷	30	30	
BY⁵	<u>31²</u>	31 ³	
BZ	30	30 [*]	* May be extended upon written request of the applicant.
CA	<u>30 (42[*])</u>	30 (42 [*])	* Time limit applicable if applicant pays an additional fee for late entry into the national phase.
CH⁶	20 ⁸	30	Office acts as DO/EO for the Office of LI which does not act in the capacity of DO/EO.
CN	<u>30[*]</u>	30	* The Office has withdrawn its notification of incompatibility of modified PCT Article 22(1) with the applicable national law with effect from 1 February 2003. This is the time limit, applicable since 1 February 2003, under PCT Article 22(1), in respect of international applications for which the 20-month time limit expired on or after 1 February 2003 and in respect of which the acts referred to in PCT Article 22(1) had not yet been performed by the applicant.

[continued on next page]

Time Limits for Entering National/Regional Phase Under PCT Chapters I and II Applicable on 1 April 2002 or Subsequently (table updated on 1 May 2004) [continued]			
DO/EO¹	Chapter I (under PCT Article 22)	Chapter II (under PCT Article 39(1))	Information specific to the Office concerned (where applicable, see also footnotes at end of table)
National Offices [continued]			
CO	<u>31^{*,2}</u>	31 ³	* New time limit under PCT Article 22(3) applicable since 2 January 2003.
CR	<u>31²</u>	31 ³	
CU	30	30	
CZ⁶	<u>31²</u>	<u>31³</u>	
DE⁶	30	30	
DK⁶	<u>31[*]</u>	<u>31^{**}</u>	* The Office has withdrawn its notification of incompatibility of modified PCT Article 22(1) with the applicable national law with effect from 1 July 2003. This is the new time limit under PCT Article 22(3), applicable since 1 July 2003. ** New time limit under PCT Article 39(1)(b), applicable since 1 July 2003.
DM⁴	30	30	
DZ	<u>31²</u>	31 ³	
EC	<u>31²</u>	31 ³	
EE⁶	<u>31^{*,2}</u>	<u>31^{**,3}</u>	* The Office has withdrawn its notification of incompatibility of modified PCT Article 22(1) with the applicable national law with effect from 1 April 2003. This is the new time limit under PCT Article 22(3), applicable since 1 April 2003. ** New time limit under PCT Article 39(1)(b), applicable since 1 April 2003.
EG⁴	<u>30</u>	<u>30</u>	
ES⁶	30	30	
FI⁶	20 ⁸	30	
GB⁶	<u>31^{*,2}</u>	31 ³	* The Office has withdrawn its notification of incompatibility of modified PCT Article 22(1) with the applicable national law with effect from 1 April 2002. This is the new time limit under PCT Article 22(3) applicable since 1 April 2002.
GD⁴	30	30	
GE	<u>31^{*,2}</u>	31 ³	* New time limit under PCT Article 22(3) applicable since 2 January 2003.
GH⁷	30	30	
GM⁷	30	31 ³	
HR	<u>31^{*,2}</u>	31 ³	* The Office has withdrawn its notification of incompatibility of modified PCT Article 22(1) with the applicable national law with effect from 1 April 2002. This is the new time limit under PCT Article 22(3) applicable since 1 April 2002.
HU⁶	<u>31^{*,2}</u>	<u>31^{**,3}</u>	* The Office has withdrawn its notification of incompatibility of modified PCT Article 22(1) with the applicable national law with effect from 1 January 2003. This is the new time limit under PCT Article 22(3) applicable since 1 January 2003. ** New time limit under PCT Article 39(1)(b), applicable since 1 January 2003.
ID	30	31 ³	
IL	<u>30[*]</u>	30	* The Office has withdrawn its notification of incompatibility of modified PCT Article 22(1) with the applicable national law with effect from 4 October 2002. This is the time limit, applicable since 4 October 2002, under PCT Article 22(1), in respect of international applications for which the 20-month time limit expired on or after 4 October 2002 and in respect of which the acts referred to in PCT Article 22(1) had not yet been performed by the applicant.
IN	<u>31^{*,2}</u>	31 ³	* New time limit under PCT Article 22(3), applicable since 7 May 2002.
IS	30	30	

[continued on next page]

Time Limits for Entering National/Regional Phase Under PCT Chapters I and II Applicable on 1 April 2002 or Subsequently (table updated on 1 May 2004) [continued]			
DO/EO ¹	Chapter I (under PCT Article 22)	Chapter II (under PCT Article 39(1))	Information specific to the Office concerned (where applicable, see also footnotes at end of table)
National Offices [continued]			
<u>JP</u>	<u>30*</u>	30	* The Office has withdrawn its notification of incompatibility of modified PCT Article 22(1) with the applicable national law with effect from 1 September 2002. This is the time limit, applicable since 1 September 2002, under PCT Article 22(1), in respect of international applications for which the 20-month time limit expired on or after 1 September 2002 and in respect of which the acts referred to in PCT Article 22(1) had not yet been performed by the applicant.
<u>KE</u> ⁷	30	30	
<u>KG</u> ⁵	<u>31*,²</u>	31 ³	* New time limit under PCT Article 22(3), applicable since 1 April 2002.
<u>KP</u>	30	30	
<u>KR</u>	<u>30*</u>	30	* The Office has withdrawn its notification of incompatibility of modified PCT Article 22(1) with the applicable national law with effect from 12 March 2003. This is the time limit, applicable since 12 March 2003, under PCT Article 22(1), in respect of international applications for which the 20-month time limit expired on or after 12 March 2003 and in respect of which the acts referred to in PCT Article 22(1) had not yet been performed by the applicant.
<u>KZ</u> ⁵	<u>31² (33*)</u>	31 ³ (33*)	* Time limit applicable if applicant pays an additional fee for late entry into the national phase.
<u>LC</u> ⁴	30	30	
<u>LK</u>	30	30	
<u>LR</u>	30	31 ³	
<u>LS</u> ⁷	30	31 ³	
<u>LT</u>	<u>31²</u>	31 ³	
<u>LU</u> ⁶	20 ⁸	30	
<u>LV</u>	<u>31²</u>	31 ³	
<u>MA</u>	30	31 ³	
<u>MD</u> ⁵	<u>31²</u>	31 ³	
<u>MG</u>	30	30	
<u>MK</u>	<u>31²</u>	31 ³	
<u>MN</u>	30	31 ³	
<u>MW</u> ⁷	30	30	
<u>MX</u>	30	30	
<u>MZ</u> ⁷	30	31 ³	
<u>NA</u> ^{*,4}	<u>30</u>	<u>30</u>	* In respect of international applications filed on or after 23 April 2004, see also AP as DO/EO for the applicable time limits.
<u>NI</u> ⁴	30	30	
<u>NO</u>	<u>31*,²</u>	<u>31**,³</u>	* The Office has withdrawn its notification of incompatibility of modified PCT Article 22(1) with the applicable national law with effect from 1 February 2004. This is the new time limit under PCT Article 22(3) applicable since 1 February 2004. ** New time limit under PCT Article 39(1)(b), applicable since 1 February 2004.
<u>NZ</u>	<u>31²</u>	31 ³	
<u>OM</u> ⁴	30	30	
<u>PG</u> ⁴	30	30	
<u>PH</u>	30 (<u>31*</u>)	30 (<u>31*</u>)	* Time limit applicable if applicant pays an additional fee for late entry into the national phase.
<u>PL</u> ⁶	30	30	
<u>PT</u> ⁶	30	30	
<u>RO</u> ⁶	30	30	
<u>RU</u> ⁵	<u>31²</u>	31 ³	

[continued on next page]

Time Limits for Entering National/Regional Phase Under PCT Chapters I and II Applicable on 1 April 2002 or Subsequently (table updated on 1 May 2004) [continued]			
DO/EO¹	Chapter I (under PCT Article 22)	Chapter II (under PCT Article 39(1))	Information specific to the Office concerned (where applicable, see also footnotes at end of table)
National Offices [continued]			
SC⁴	30	30	
SD⁷	30	30	
SE⁵	20 ⁸	30	
SG	30*	30	* The Office has withdrawn its notification of incompatibility of modified PCT Article 22(1) with the applicable national law with effect from 1 January 2004. This is the time limit, applicable since 1 January 2004, under PCT Article 22(1), in respect of international applications for which the 20-month time limit expired on or after 1 January 2004 and in respect of which the acts referred to in PCT Article 22(1) had not yet been performed by the applicant.
SI^{*,6}	31 ²	31 ³	* Slovenia has closed the national route via the PCT for international applications filed on or after 1 December 2002. For international applications filed on or after that date, see EP.
SK⁶	31 ^{*,2}	31 ³	* The Office has withdrawn its notification of incompatibility of modified PCT Article 22(1) with the applicable national law with effect from 1 August 2002. This is the new time limit under PCT Article 22(3) applicable since 1 August 2002.
SL⁷	30	31 ³	
SY⁴	30	30	
TJ⁵	30	31 ³	
TM⁵	30	31 ³	
TN⁴	30	30	
TR⁵	30 (33*)	30 (33*)	* Time limit applicable if applicant pays the fee for requesting an extension of time for entry into the national phase.
TT	30	31 ³	
TZ⁷	21 ^{2,8}	31 ³	
UA	31 ^{*,2}	31 ³	* Time limit under PCT Article 22(3) applicable since 25 June 2003.
UG⁷	21 ^{2,8}	31 ³	
US	30	30	
UZ	30	31 ³	
VC	30	30	
VN	31 ²	31 ³	
YU	20 ⁸ (21*)	30 (31*)	* Time limit applicable if applicant pays an additional fee for late entry into the national phase.
ZA	31 ^{*,2}	31 ³	* The Office has withdrawn its notification of incompatibility of modified PCT Article 22(1) with the applicable national law with effect from 23 April 2003. This is the new time limit under PCT Article 22(3) applicable since 23 April 2003.
ZM⁷	20 ⁸	30	
ZW⁷	30	31 ³	

1. Designated Office/elected Office.

2. This time limit has been fixed in accordance with PCT Article 22(3).

3. This time limit has been fixed in accordance with PCT Article 39(1)(b).

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. If designated/elected for an ARIPO patent, see AP as DO/EO for the applicable time limits.

8. 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.

[continued from page 6]

therefore be withdrawn if the designations concerned are not withdrawn from the international application (see the “practical advice” in *PCT Newsletter* No. 11/2003). Germany, the Republic of Korea and the Russian Federation have notified WIPO under PCT Rule 4.9(b) that this situation applies to them. In the case of these three States, a special check-box has been made available in Box No. V of the Request Form enabling applicants to exclude those States from the automatic and all-inclusive coverage of designations without having to specifically withdraw them. The designation of any other States which have a similar provision under their national law, for example, Japan, cannot however be excluded in the Request Form, and so in such a case, you may wish to consider submitting (prefer-

ably at the same time as submitting the request) a separate notice of withdrawal of the designation concerned in order to avoid the automatic withdrawal of the earlier filed national application (in the case of Japan, the withdrawal should be made before the expiration of 15 months from the priority date). Information on any such situation is published in *PCT Applicant's Guide*, Annex B1. For further information on the withdrawal of designations, see the *PCT Newsletter* No. 02/2004, page 6.

Note also that by not withdrawing a particular designation before technical preparations for the international publication of the international application have been completed, the published application will reflect the fact that the State concerned was designated in the international application.

PCT Seminar Calendar			
Dates and location	Language of seminar	Nature of seminar; WIPO speakers (and others where known)	Organizer and contact numbers
11–12 May 2004 Munich (DE)	German	Advanced PCT seminar WIPO speaker: Mr. Reischle Other speaker: Mr. Attasio (European Patent Office)	Forum Institut für Management GmbH Tel: (49–6221) 500 500 Fax: (49–6221) 500 505 E-mail: Management@Forum-Institut.de
11–12 May 2004 Paris (FR)	French	Basic seminar on PCT procedures WIPO speakers: Mr. Genin and Ms. Bonvallet	Institut national de la propriété industrielle (INPI) (Mrs. Christiane Sadrin) Tel: (33–1) 53 04 55 76 Fax: (33–1) 42 93 63 52
18–19 May 2004 Copenhagen (DK)	English	Seminar on the PCT WIPO speakers: Mr. Bartels and Ms. Trpkovska	Danish Patent and Trademark Office (Ms. Inge-Lise Høybye) Tel: (45–43) 50 80 00 Fax: (45–43) 50 80 01 E-mail: pvs@dkpto.dk
8–9 June 2004 Paris (FR)	French	Advanced seminar on PCT procedures WIPO speakers: Mr. Genin and Ms. Bonvallet	Institut national de la propriété industrielle (INPI) (Mrs. Christiane Sadrin) Tel: (33–1) 53 04 55 76 Fax: (33–1) 42 93 63 52
10–11 June 2004 Lille (FR)	French	Seminar on PCT procedures WIPO speaker: 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
10 June 2004 Oslo (NO)	English	PCT-SAFE workshop WIPO speaker: Mrs. Metcalfe	Norwegian Patent Office (Mr. Otto Scharff) Tel: (47) 22 38 76 69 Fax: (47) 22 38 73 31 E-mail: otto.scharff@patentstyret.no Internet: www.patentstyret.no
13–14 October 2004 Paris (FR)	French	Seminar on the PCT and on the January 2004 amendments to the PCT Regulations WIPO speakers: Mr. Genin and Ms. Bonvallet	Forum Institut für Management GmbH Tel: (49–6221) 500 500 Fax: (49–6221) 500 505 E-mail: Management@Forum-Institut.de
17–18 November 2004 Paris (FR)	French	Seminar on PCT procedures WIPO speakers: Mr. Genin and Ms. Bonvallet	Institut national de la propriété industrielle (INPI) (Mrs. Christiane Sadrin) Tel: (33–1) 53 04 55 76 Fax: (33–1) 42 93 63 52

PCT Fee Tables

(amounts on 1 May 2004, unless otherwise indicated)

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 international filing fee may be reduced by CHF 100 under certain circumstances where the request is prepared using the PCT-SAFE software or by CHF 200 or 300 where the international application is filed in electronic form, as prescribed; see footnotes 2 and 5 for details. A 75% reduction in the international filing fee (including the fee per sheet over 30) 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 footnotes 3 and 10. (Note that if the CHF 100, 200 or 300 reduction, as the case may be, and the 75% reduction are applicable, the 75% reduction is calculated **after** the CHF 100, 200 or 300 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	UAH	Ukrainian hryvnia
		CUP	Cuban convertible peso	ISK	Icelandic krona	NOK	Norwegian krone	USD	US dollar
AED	United Arab Emirates dirham	CYP	Cyprus pound	JPY	Japanese yen	NZD	New Zealand dollar	VND	Vietnamese dong
ALL	Albanian lek	CZK	Czech koruna	KES	Kenyan shilling	PHP	Philippine peso	YUD	Yugoslavian dinar
AMD	Armenian dram	DKK	Danish krone	KGS	Kyrgyz som	PLZ	Polish zloty	ZAR	South African rand
AUD	Australian dollar	DZD	Algerian dinar	KPW	KP won	ROL	Romanian leu	ZWD	Zimbabwe dollar
AZM	Azerbaijani manat	EEK	Estonian kroon	KRW	KR won	RUR	Russian rouble		
		EUR	Euro	KZT	Kazakh tenge	SDP	Sudanese pound		

Table I(a) — Transmittal and international filing fees
(amounts on 1 May 2004, unless otherwise indicated)

RO	Transmittal fee ¹	International filing fee ^{1,2,3} (CHF 1,400)	Fee per sheet over 30 ^{1,2,3,4} (CHF 15)	PCT-EASY reduction ^{2,5} (CHF 100)	Competent ISA(s) ⁶
AE	AED ⁷ —	AED eq CHF 1,400	15	n a	AT AU
AG	Information not yet available				
AL	ALL 9,000	CHF 1,400	15	n a	EP
AM	AMD 32,000	USD 1,134	12	81	EP RU
AP	USD 50 (or eq in local currency)	USD 1,134	12	81	AT EP SE
AT	EUR 50	EUR 902	10	64	EP
AU	AUD 100	AUD 1,525	16	109	AU
AZ	AZM 55,000	USD 1,134	12	n a	EP RU
BA	EUR 25.56	EUR 902	10	64	EP
BE	EUR 40	EUR 902	10	64	EP
BG	BGL 60	BGL eq CHF 1,400	eq CHF 15	eq CHF 100	EP RU
BR	BRR 236	BRR eq CHF 1,400	eq CHF 15	eq CHF 100	AT EP SE US
BW	Information not yet available				
BY	BYR eq USD 70	USD 1,134	12	n a	EP RU
BZ	BZD 220	USD 1,134	12	81	EP
CA	CAD 300	CAD 1,489	16	106	EP
CH	CHF 100	CHF 1,400	15	100	EP
CN	CNY 500	CNY eq CHF 1,400	eq CHF 15	eq CHF 100	CN
CO	COP ⁷ —	COP eq USD 1,134	eq USD 12	eq USD 81)	AT, EP, ES, RU
CR	USD 175	USD 1,134	12	81	EP ES
CU	USD (or eq CUP) 200	USD(or eq CUP) 1,134	12	81	AT EP ES RU
CY	CYP 75	CYP 526	6	n a	EP
CZ	CZK 1,500	CZK eq CHF 1,400	eq CHF 15	eq CHF 100	EP
DE	EUR 90	EUR 902	10	64	EP
DK	DKK 1,500	DKK 6,700	70	480	EP SE

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Table I(a) — Transmittal and international filing fees [continued]
(amounts on 1 May 2004, unless otherwise indicated)

RO	Transmittal fee ¹	International filing fee ^{1,2,3} (CHF 1,400)	Fee per sheet over 30 ^{1,2,3,4} (CHF 15)	PCT-EASY reduction ^{2,5} (CHF 100)	Competent ISA(s) ⁶
DM	Information not yet available				
DZ	DZD None	CHF 1,400	15	100	AT EP
EA	RUR eq USD 50	USD 1,134	12	81	EP RU
EC	USD ⁷ —	USD 1,134	12	81	EP ES
EE	EEK 1,800	EEK eq CHF 1,400	eq CHF 15	eq CHF 100	EP
EG	Information not yet available				
EP ⁵	EUR 100	EUR 902	10	64 ⁵	EP
ES	EUR 63.99	EUR 902	10	64	EP ES
FI	EUR 135	EUR 902	10	64	EP SE
FR ⁵	EUR 60	EUR 902	10	64	EP
GB	GBP 55	GBP 628	7	45	EP
GD	Information not yet available				
GE	GEL ⁸ 10	USD 1,134	12	81	EP RU
GH	GHC ⁹ 2,500 or 5,000	USD 1,134	12	n a	AT AU CN EP SE
GR	EUR 115	EUR 902	10	64	EP
HR	HRK 200	HRK eq CHF 1,400	eq CHF 15	eq CHF 100	EP
HU	HUF 10,000	HUF eq CHF 1,400	eq CHF 15	eq CHF 100	EP RU
IB ⁵	CHF ¹⁰ 100 or EUR ¹⁰ 64 or USD ^{10,*} 81	CHF 1,400 or EUR 902 or USD* 1,134	15 10 12	100 64 81	See footnote 11
ID	IDR 500,000	IDR eq CHF 1,400	eq CHF 15	eq CHF 100	AU EP RU
IE	EUR 76.00	EUR 902	10	64	EP
IL	ILS 476	USD 1,134	12	81	EP US
IN	INR 5,000 (filing by indiv: 1,500)	USD 1,134	12	81	AT AU CN EP SE US
IS	ISK 6,500	ISK 80,000	900	5,700	EP SE
IT	EUR 30.99	EUR 902	10	n a	EP
JP	JPY 13,000	JPY 116,000	1,200	8,300	EP JP
KE	USD (or KES equiv) 250 plus cost of mailing	USD 1,134	12	81	AT AU CN EP SE
KG	KGS eq USD 100	USD 1,134	12	81	EP RU
KP	KPW eq CHF 50	KPW eq CHF 1,400	eq CHF 15	eq CHF 100	AT RU
KR	KRW 45,000	KRW 1,329,000	14,000	95,000	AT AU JP ¹² KR
KZ	KZT ⁷ —	USD 1,134	12	81	EP RU
LR	USD 45	USD 1,134	12	n a	AT AU CN EP SE
LS	LSM ⁷ —	LSM eq CHF 1,400	eq CHF 15	n a	AT EP
LT	LTL 320	EUR 902	10	64	EP RU
LU	EUR 19	EUR 902	10	n a	EP
LV	LVL 47.20	USD 1,134	12	81	EP RU
MA	None	CHF 1,400	15	n a	AT EP RU SE
MC	EUR 49 ¹³	EUR 902	10	n a	EP
MD	MDL 180	USD 1,134	12	81	EP RU
MK	MKD 2,750	MKD eq CHF 1,400	eq CHF 15	eq CHF 100	EP
MN	None	CHF 1,400	15	100	EP RU
MW	MWK 6,000	MWK 111,100	1,200	7,900	EP
MX	MXP ³ eq USD 200	MXP eq CHF 1,400	eq CHF 15	eq CHF 100	EP ES SE US
NA	Information not yet available				
NI	USD 175	USD 1,134	12	81	EP ES
NL	EUR 50	EUR 902	10	64	EP
NO	NOK 500	NOK 7,370	80	530	EP SE
NZ	NZD 180 ¹⁴	NZD 1,738 (from 1.6.04: 1,624)	19 (17)	124 (116)	AU EP US

[continued on next page]

Table I(a) — Transmittal and international filing fees [continued]
(amounts on 1 May 2004, unless otherwise indicated)

RO	Transmittal fee ¹	International filing fee ^{1,2,3} (CHF 1,400)	Fee per sheet over 30 ^{1,2,3,4} (CHF 15)	PCT-EASY reduction ^{2,5} (CHF 100)	Competent ISA(s) ⁶
OA	Information not yet available				
OM	Information not yet available				
PG	Information not yet available				
PH	PHP 3,500	USD 1,134	12	81	AU EP JP KR US
PL	PLZ 300	PLZ eq CHF 1,400	eq CHF 15	n a	EP
PT	EUR 30	EUR 902	10	64	EP
RO	ROL 300,000	CHF 1,400	15	100	AT EP RU
RU	RUR 294	USD 1,134	12	81	EP RU
SC	Information not yet available				
SD	SDP 50	SDP eq CHF 1,400	eq CHF 15	n a	EP
SE	SEK 1,200	SEK 8,140	90	580	EP SE
SG	SGD 150	SGD 1,926	21	138	AT AU EP
SI	SIT 22,000	SIT eq CHF 1,400	eq CHF 15	eq CHF 100	EP
SK	SKK 1,600	SKK eq CHF 1,400	eq CHF 15	eq CHF 100	EP
SY	Information not yet available				
TJ	TJS ⁷ —	USD 1,134	12	n a	EP RU
TM	USD ⁷ —	USD 1,134	12	81	EP RU
TN	TND ⁷ —	CHF 1,400	15	n a	EP
TR	CHF 100	CHF 1,400	15	100	EP
TT	TTD 750	USD 1,134	12	81	AT EP SE US
UA	UAH 255	USD (or eq UAH) 1,134	12	n a	EP RU
US	USD 300	USD 1,134	12	81	EP US
UZ	USD ⁷ —	USD 1,134	12	81	EP RU
VC	Information not yet available				
VN	VND eq USD 150	VND eq CHF 1,400	eq CHF 15	n a	AT AU EP KR RU SE
YU	YUD 3,000	YUD eq CHF 1,400	eq CHF 15	eq CHF 100	EP
ZA	ZAR 500	ZAR 7,490	80	530	AT AU EP US
ZM	Information not yet available				
ZW	ZWD 6,000	ZWD eq USD 1,134	eq USD 12	eq USD 81	AT AU CN EP RU

Table I(b) — Search fees
(amounts on 1 May 2004, unless otherwise indicated)

ISA	Search fee ¹								
AT	EUR 159	CHF 247	KRW 235,000	SGD 310	USD 182	ZAR 1,320			
AU	AUD 1,200	CHF 1,157	EUR 738	KRW 1,014,000	NZD 1,370	SGD 1,490			
	USD 865	ZAR* 6,500							
	* (from 1.7.04: ZAR 5,800)								
CN	CNY 1,500	CHF 245	EUR 158	USD 181					
EP ¹⁵	EUR 1,550	CAD 2,520	CHF 2,432	CYP 905	DKK 11,520	GBP 1,078			
	ISK 138,000	JPY* 196,500	MWK 194,000	NOK* 12,700	NZD 2,884	SEK 13,870			
	SGD 3,130	USD 1,920	ZAR** 13,600						
	* (from 1.6.04: JPY 213,700	NOK 13,450)							
	** (from 1.7.04: ZAR 12,000)								
ES ¹⁵	EUR 1,550	CHF 2,432	USD 1,920						
JP	JPY 97,000	CHF 1,168	EUR 752	KRW 1,066,000	USD 887				
KR	KRW 225,000	CHF 238	EUR 151	USD 194					
RU ¹⁶	USD 300	CHF 406	EUR 262						
SE	SEK 13,870	CHF 2,432	DKK 11,520	EUR 1,550	ISK 138,000	NOK* 12,700			
	USD 1,920								
	* (from 1.6.04: NOK 13,450)								
US	USD 1,000	300 ¹⁷	CHF 1,318	395 ¹⁷	EUR 787	254 ¹⁷	NZD 1,570	470 ¹⁷	
	ZAR* 7,300	2,000 ¹⁷							
	* (from 1.6.04: ZAR 6,600 (2,000 ¹⁷))								

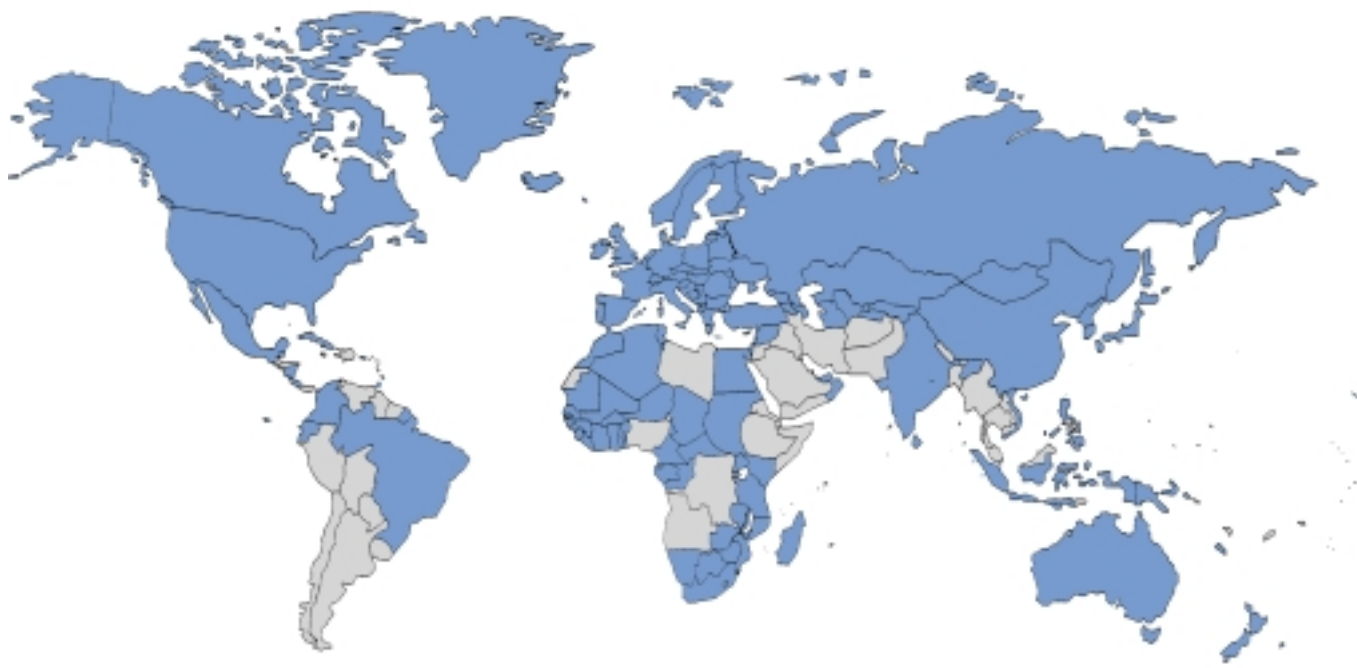
Table II — Preliminary examination fees
(amounts on 1 May 2004, unless otherwise indicated)

IPEA	Preliminary examination fee ¹⁸		Handling fee ^{3,18} (CHF 200)		
AT	EUR	159	EUR	129	
AU	AUD	550	1,000 ¹⁹	AUD	218
CN	CNY	1,500		CNY eq CHF	200
EP ¹⁵	EUR	1,530		EUR	129
ES	EUR	502.97		EUR	129
JP	JPY	36,000		JPY	16,600
KR	KRW	225,000		KRW	190,000
RU ¹⁶	USD	200 ²⁰	300 ²¹	USD	162
SE	SEK	5,000		SEK	1,160
US	USD	600	750 ²²	USD	162

Footnotes to fee tables:

- 1 Payable to the receiving Office in the currency or one of the currencies prescribed by it.
- 2 The international filing fee is reduced by CHF 100 where: (a) the request is presented as a computer print-out prepared using the PCT-EASY features of the PCT-SAFE 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 fulfills the criteria indicated on page 27 of *PCT Newsletter* No. 12/2003, or on the PCT website at: www.wipo.int/pct/en/fees/fee_reduction.pdf
- 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 Administrative Instructions under the PCT, 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 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, the international filing fee is reduced by CHF 200 if the text of the description, claims and abstract is not in character coded format, and by CHF 300 if the text of the description, claims and abstract is in character coded format. Only the following receiving Offices have sent such a notification so far: RO/EP, ES, FI, FR, IB and KR. The equivalent amounts of those reductions in the relevant currencies are as follows: **CHF 200=EUR 129, KRW 190,000, USD 162; CHF 300=EUR 193, JPY 24,900, KRW 285,000, USD 243.**
- 6 For the search fee payable to the receiving Office, consult the entry in Table I(b) for the competent International Searching Authority.
- 7 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.
- 8 This fee is reduced by 80% where the applicant is a natural person.
- 9 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.
- 10 This fee is not payable in respect of international applications filed by applicants fulfilling the conditions indicated on page 27 of *PCT Newsletter* No. 12/2003, or on the PCT website at: www.wipo.int/pct/en/fees/fee_reduction.pdf.
- 11 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).
- 12 The Japan Patent Office is competent only for international applications in Japanese.
- 13 Plus EUR 1 for the preparation of additional copies, for each page and each copy.
- 14 Plus 12.5% GST (Goods and Services Tax) for New Zealand residents.
- 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 Item 4(a) of 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 part 1 of the table on page 27 of *PCT Newsletter* No. 12/2003 or on the PCT website at: www.wipo.int/pct/en/fees/fee_reduction.pdf, with the exception of Bulgaria, the Czech Republic, Estonia, Hungary, Poland, Romania, Slovakia and 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), the basic filing fee under 37 CFR 1.16(a) has been paid, and the prior US national application is identified by the application number if known, or if the application number is not known, by the filing date, title and name of applicant (and preferably by the application docket number), in the international application or accompanying the papers at the time of filing the international application.
- 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 not issued by the Australian Patent Office.
- 20 Payable when the international search report was established by the Russian Patent Office.
- 21 In all cases where footnote 20 does not apply.
- 22 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 May 2004)



AE United Arab Emirates	CR Costa Rica	IL Israel	ML Mali (OA) ²	SY Syrian Arab Republic
AG Antigua and Barbuda	CY Cyprus (EP) ²	IN India	MN Mongolia	SZ Swaziland (AP) ²
AL Albania ¹	CZ Czech Republic (EP)	IS Iceland	MR Mauritania (OA) ²	TD Chad (OA) ²
AM Armenia (EA)	DE Germany (EP)	IT Italy (EP) ²	MW Malawi (AP)	TG Togo (OA) ²
AT Austria (EP)	DK Denmark (EP)	JP Japan	MX Mexico	TJ Tajikistan (EA)
AU Australia	DM Dominica	KE Kenya (AP)	MZ Mozambique (AP)	TM Turkmenistan (EA)
AZ Azerbaijan (EA)	DZ Algeria	KG Kyrgyzstan (EA)	NA Namibia (AP)	TN Tunisia
BA Bosnia and Herzegovina	EC Ecuador	KP Democratic People's Republic of Korea	NE Niger (OA) ²	TR Turkey (EP)
BB Barbados	EE Estonia (EP)	KR Republic of Korea	NI Nicaragua	TT Trinidad and Tobago
BE Belgium (EP) ²	EG Egypt	KZ Kazakhstan (EA)	NL Netherlands (EP) ²	TZ United Republic of Tanzania (AP)
BF Burkina Faso (OA) ²	ES Spain (EP)	LC Saint Lucia	NO Norway	UA Ukraine
BG Bulgaria (EP)	FI Finland (EP)	LI Liechtenstein (EP)	NZ New Zealand	UG Uganda (AP)
BJ Benin (OA) ²	FR France (EP) ²	LK Sri Lanka	OM Oman	US United States of America
BR Brazil	GA Gabon (OA) ²	LR Liberia	PG Papua New Guinea	VN Viet Nam
BW Botswana (AP)	GB United Kingdom (EP)	LS Lesotho (AP)	PH Philippines	YU Serbia and Montenegro
BY Belarus (EA)	GD Grenada	LT Lithuania ¹	PL Poland (EP)	ZA South Africa
BZ Belize	GE Georgia	LU Luxembourg (EP)	PT Portugal (EP)	ZM Zambia (AP)
CA Canada	GH Ghana (AP)	LV Latvia ¹	RO Romania (EP)	ZW Zimbabwe (AP)
CF Central African Republic (OA) ²	GM Gambia (AP)	MA Morocco	RU Russian Federation (EA)	
CG Congo (OA) ²	GN Guinea (OA) ²	MC Monaco (EP) ²	SC Seychelles	
CH Switzerland (EP)	GQ Equatorial Guinea (OA) ²	MD Republic of Moldova (EA)	SD Sudan (AP)	
CI Côte d'Ivoire (OA) ²	GR Greece (EP) ²	MG Madagascar	SE Sweden (EP)	
CM Cameroon (OA) ²	GW Guinea-Bissau (OA) ²	MK The former Yugoslav Republic of Macedonia ¹	SG Singapore	
CN China	HR Croatia		SI Slovenia (EP) ²	
CO Colombia	HU Hungary (EP)		SK Slovakia (EP)	
	ID Indonesia		SL Sierra Leone (AP)	
	IE Ireland (EP) ²		SN Senegal (OA) 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 will only become bound by the PCT on the date shown in parentheses; it will not be considered to have been designated in international applications filed before that date.

Note that even though the filing of a request constitutes under PCT Rule 4.9(a) the designation of all Contracting States bound by the PCT on the international filing date, for the grant of every kind of protection available and, where applicable, for the grant of both regional and national patents, applicants should always use the latest versions of the request form (PCT/RO/101) and demand form (PCT/IPEA/401) (the latest versions are dated January 2004) or, if filing the request using the PCT-EASY features of the PCT-SAFE software, the latest version of that software (the latest version is dated January 2004). The request and demand forms are reproduced in Annexes X and Y, respectively, in Vol. I/B of the *PCT Applicant's Guide* (January 2004 update), and can be printed from the WIPO Internet site, in editable PDF format, at: 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. The PCT-SAFE software is available from the PCT-SAFE website at: www.wipo.int/pct-safe/en/index.htm