

# PCT NEWSLETTER

## **New PCT Service: Supplementary International Search**

On 1 January 2009, PCT Rule 45*bis* will come into effect and the new PCT supplementary international search (SIS) service will be available to all applicants. This is an optional service, developed at the request of applicants, that allows additional searches to be performed during the international phase, in addition to the search prepared by the applicant's "usual" International Searching Authority (ISA). Three Authorities (the Federal Service for Intellectual Property, Patents and Trademarks (Russian Federation), the Swedish Patent and Registration Office and the Nordic Patent Institute) will offer the service as from 1 January 2009; at least three more Authorities are expected to begin offering the service later in 2009 and in 2010.

### **Why is the new service being introduced?**

It has always been recognized that no search can be guaranteed to find all of the relevant prior art. The main international search is intended to be of a high quality and to cover not only the PCT minimum documentation but also the additional range of documentation which would be searched by the ISA in its role as a national Office. Furthermore, Offices are working on technical systems to assist examiners in conducting an effective, broad search, as well as on quality management systems to encourage good practice. Nevertheless, there remain cases where highly relevant citations are only found during the national phase, once considerable additional expenditure has been incurred.

One of the major problems in finding relevant prior art is that the range of languages in which original technical disclosures are made is constantly increasing; no single Office is capable of searching even the whole of the PCT minimum documentation in its original language, let alone the large volume of other patent and non-patent literature containing original disclosures. Machine translation goes some way towards addressing this problem, but is still a long way from being a substitute for consideration of disclosures by an examiner who understands the original language.

The SIS service will thus allow applicants to reduce the risk of being faced with new citations during the national phase. It is not expected that SIS will be requested routinely, but rather as a strategic decision by the applicant, taken after consideration of the results of the main international search, the commercial importance of the particular application and the amount of prior art in the particular technical field which is known to be published in a language in which the main ISA is not skilled.

Moreover, it is up to the individual Authorities offering SIS to define the scope of the service which they are offering, and for the applicant to decide which (if any) of those services meets the needs of the particular application. Some Authorities may offer a search which is focused on documentation in languages in which they specialize, while others may offer a full search, covering their entire documentation as they would do if they were conducting a "normal" (main) international search. Each Authority also sets its own fees for the service and it is up to the applicant to decide whether SIS is desirable in any particular case. The applicant is permitted to request more than one SIS on the same international application, if this is desired.

## **Which Authority can I use to carry out the supplementary international search?**

In principle, subject to any limitations which may be set out by the Authority concerned, an ISA which has announced that it will act as an Authority specified for supplementary search will be able to act in such a capacity for any international application, irrespective of the receiving Office with which the application has been filed (as distinct from the international searching and preliminary examining authorities, which, under PCT Rules 35 and 59.1, depend on the receiving Office with which the application was filed).

## **What does a supplementary international search cover?**

As regards the scope of documentation searched, each participating Authority defines the scope of its service. The services available from January 2009 are summarized in the table, below.

The SIS will be carried out on the application as filed (amendments under PCT Article 19 and/or 34 will not be considered) and will only cover one invention or group of inventions having unity of invention – there is no option for paying additional fees for the searching of multiple inventions. However, if the main ISA has identified a lack of unity before SIS is requested, the latter can be requested to concentrate on an invention which is not necessarily the first one claimed (PCT Rule 45*bis*.1(d)).

If not established in English, the resulting supplementary international search report will be translated into English by the International Bureau (IB).

## **How much will it cost?**

Requests for SIS must be submitted directly to the IB and not to individual Authorities. There is a supplementary search handling fee of 200 Swiss francs to cover the costs of the IB and a supplementary search fee set by each Authority offering the service. These fees must be paid to the IB in Swiss francs within one month of filing the request for SIS. Applicants from certain States may be eligible for a 90% reduction in the supplementary search handling fee (please refer to the PCT Schedule of Fees, as in force from 1 January 2009, at: [http://www.wipo.int/pct/en/texts/pdf/pct\\_regs2009.pdf](http://www.wipo.int/pct/en/texts/pdf/pct_regs2009.pdf)).

Although there is no opportunity to pay for searches of additional inventions, it is permitted to request a review of any finding of lack of unity. The Authority may require a fee for this, which in this case is payable directly to the Authority in (one of) its accepted currency(ies).

## **Limitations of the service**

The Authority may, subject to any special provisions, refuse to issue a supplementary search report for some or all of the claims in the following circumstances (in which case there is no refund of the fees):

- if the main ISA declares that no international search report will be established; or
- if the Authority would not carry out a main international search in the same case, for reasons of subject matter, clarity or failure to provide a sequence listing in the appropriate form.

The Authority may, according to PCT Rule 45*bis*.9, set out any limitations and conditions of the service in its agreement with the IB, for example, it may limit itself to a maximum number of

searches per year, or may only offer the service for certain technical fields. If no search is performed because of such a special limitation, the supplementary search fee will be refunded.

### Summary of services offered from 1 January 2009

The requirements, fees and scope of the services offered from 1 January 2009 are as follows:

International Searching Authority specified for supplementary search	Required language of international application or translation	Fees (as at 1 January 2009)	Scope of search
Federal Service for Intellectual Property, Patents and Trademarks (Russian Federation) (RU)	Russian or English	Supplementary search handling fee: CHF 200 Supplementary search fee: CHF equiv. of USD 350	<i>To be confirmed: For any international application:</i>  At least the Russian language documentation held by the Authority in its collection and certain patent documentation in other languages published by the former Soviet Union or members of the Commonwealth of Independent States.
		Supplementary search handling fee: CHF 200 Supplementary search fee: CHF equiv. of USD 500	<i>To be confirmed: If the main ISA has issued a declaration that no International Search Report will be established due to the inventions relating to methods of treatment of the human or animal body:</i>  At least the PCT minimum documentation, as well as the documentation specified in the above service.
Swedish Patent and Registration Office (SE)	Swedish, English, Danish or Norwegian	Supplementary search handling fee: CHF 200 Supplementary search fee: CHF 2,726	At least the PCT minimum documentation, as well as documents in Swedish, Danish, Finnish and Norwegian held by the Authority.
Nordic Patent Institute (XN)	Danish, English, Norwegian, Icelandic or Swedish	Supplementary search handling fee: CHF 200 Supplementary search fee: CHF 2,726	At least the PCT minimum documentation, as well as documents in Danish, Icelandic, Norwegian, and Swedish held by the Authority.

More detailed information is published in the *PCT Applicant's Guide*, Annex SISA (RU, SE and XN).

Note that the applicant may withdraw a request for SIS at any time prior to the issuance of either the supplementary international search report or the declaration by the Authority that no report will be established. As long as the IB has not yet transmitted the request for SIS to the Authority in question, both the handling fee and the supplementary search fee will be refunded to the applicant.

## Further information

Further explanations of the SIS system are published in the “Practical Advice” in this issue, which discusses, in particular, the applicability of the new system and explains how to request SIS. For further information, see also:

- PCT Rule 45*bis* at: [http://www.wipo.int/pct/en/texts/pdf/pct\\_regs2009.pdf](http://www.wipo.int/pct/en/texts/pdf/pct_regs2009.pdf)
- *PCT Applicant’s Guide*, Annex SISA (RU, SE and XN), which contains information on the fees payable for the benefit of those Offices, as well as the scope of an SIS by those Offices, and new Chapter VII*bis* (which has not yet been finalized but will be available shortly) at: <http://www.wipo.int/pct/guide/en/index.html>
- a new, detailed, PowerPoint presentation available at: <http://www.wipo.int/pct/en/texts/ppt/sis.ppt>

The Nordic Patent Institute and the Swedish Patent and Registration Office have published information on their roles as supplementary international searching authorities on their websites at, respectively:

<http://www.npi.int/PCT/Supplementary-International-Search/>

<http://www.prv.se/sis>

## Application of the Patent Cooperation Treaty in Montenegro

It is recalled that, following the adoption by the National Assembly of the Republic of Montenegro of a declaration of independence on 3 June 2006, Montenegro deposited, on 4 December 2006, a declaration that the PCT continues to be applicable, as from 3 June 2006, as far as Montenegro is concerned (see *PCT Newsletter* No. 01/2007 at: [http://www.wipo.int/edocs/pctndocs/en/2007/pct\\_news\\_2007\\_1.pdf](http://www.wipo.int/edocs/pctndocs/en/2007/pct_news_2007_1.pdf)).

The Intellectual Property Office of the Republic of Montenegro (Montenegrin Office) has informed the International Bureau (IB) that it started operations on 28 May 2008. Whereas the Government of the Republic of Montenegro has delegated, under PCT Rule 19.1(b), the functions of receiving Office under the PCT, in relation to international applications filed by nationals or residents of Montenegro, to the International Bureau in its capacity as receiving Office under the PCT, the Montenegrin Office has taken up its functions as designated and elected Office under the PCT as from 28 May 2008.

## Effect in Montenegro of international applications under the Patent Cooperation Treaty

(1) Pursuant to the deposit of the declaration of continuation referred to above, nationals and residents of Montenegro may file international applications, and Montenegro is automatically designated in all international applications filed on or after 3 June 2006.

(2) The conditions under which international applications, or patents resulting therefrom, may continue to have effect in Montenegro are the following:

- (a) any rights granted before 3 June 2006 by the Intellectual Property Office of Serbia and Montenegro on the basis of an international application shall have effect in Montenegro until the expiration of its term of protection or the term for which maintenance fees have been paid, without any additional registration or payment of any additional fees;

(b) any rights granted by the Serbian Office on or after 3 June 2006 but prior to the commencement of operation of the Montenegrin Office on the basis of an international application shall have effect in Montenegro until the expiration of its term of protection or the term for which maintenance fees have been paid, without any additional registration or payment of any additional fees;

(c) international applications which have entered the national phase and were pending before the Intellectual Property Office of Serbia and Montenegro or the Serbian Office at the time of the commencement of operation of the Montenegrin Office shall have effect in Montenegro as of the international filing date, provided that the applicant:

- i) files with the Montenegrin Office a request for the grant of the right not later than one year after the commencement of operation of the Montenegrin Office;
- ii) submits to the Montenegrin Office a copy of the application and of any attachment thereto, filed with the Intellectual Property Office of Serbia and Montenegro or the Serbian Office, together with the certificate of receipt of the application by the Office with which it was previously filed; and
- iii) pays the prescribed fee.

(d) international applications which have not entered the national phase before the Serbian Office and for which on 3 June 2006, the time limit under PCT Article 22 or 39(1) had not yet expired, shall have effect in Montenegro as of the international filing date, provided that the applicant:

- i) files with the Montenegrin Office a request for the grant of the right not later than one year after the commencement of operation of the Montenegrin Office or within the time limit under Article 22 or 39(1), whichever time limit expires later;
- ii) submits to the Montenegrin Office, where applicable, a translation of the application; and
- iii) pays the prescribed fee.

For further information, please contact the Montenegrin Office at the following address:

Intellectual Property Office  
Bulevar Revolucije 5  
Podgorica  
Montenegro

Tel: (+382 20) 24 64 99

Fax: (+382 20) 24 64 96

E-mail: [ziscg@cg.yu](mailto:ziscg@cg.yu)

Internet: <http://www.gov.me>

For information on the effects in Serbia of international applications filed under the PCT, see *PCT Newsletter* Nos. 11/2006 and 06/2007 at, respectively:

[http://www.wipo.int/edocs/pctndocs/en/2006/pct\\_news\\_2006\\_11.pdf](http://www.wipo.int/edocs/pctndocs/en/2006/pct_news_2006_11.pdf)

[http://www.wipo.int/edocs/pctndocs/en/2007/pct\\_news\\_2007\\_6.pdf](http://www.wipo.int/edocs/pctndocs/en/2007/pct_news_2007_6.pdf)

## Modifications to Administrative Instructions and to certain PCT Forms

Following the adoption of amendments to the Regulations under the PCT which will enter into force on 1 January 2009, a number of modifications have been made to Sections 102, 415, 420, 425 and 515 of the Administrative Instructions under the PCT and new Sections 436, 519 and 520 have been added. Furthermore, modifications to Section 204 have been made and a new Section 204*bis* has been added, modifying the recommended headings for certain sections of the international application and introducing recommendations for the presentation of the title of the invention and numbering of claims for consistency with the “Common Application Format” adopted in November 2007 by the European Patent Office, the Japan Patent Office and the United States Patent and Trademark Office (see: <http://www.trilateral.net/news/20071130/index.php>). All new/modified Sections will apply to international applications filed on or after 1 January 2009.

Modifications have also been made to certain forms used by the applicant, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority, and new forms have been introduced for use by the Authority specified for supplementary search.

The consolidated text of the Administrative Instructions (PCT/AI/8), as in force from 1 January 2009, and the modified and additional forms, which are to be used from 1 January 2009, are available in PDF format, in English and French, on the PCT Resources page at, respectively:

[http://www.wipo.int/pct/en/texts/ai\\_new.html](http://www.wipo.int/pct/en/texts/ai_new.html)

<http://www.wipo.int/pct/en/forms/2009/index.html>

## European Patent Convention

### Accession by the former Yugoslav Republic of Macedonia

The former Yugoslav Republic of Macedonia deposited its instrument of accession to the European Patent Convention (EPC) on 28 October 2008, and will become bound by that Convention on 1 January 2009.

Therefore, any international application filed on or after 1 January 2009 will include the designation of the former Yugoslav Republic of Macedonia for a European patent (applicants should be aware that any international application filed before that date **will not include the designation of the former Yugoslav Republic of Macedonia for a European Patent**, however, the extension system, as explained below, will continue to apply to all international applications filed prior to that date). Moreover, as from 1 January 2009, it will be possible for nationals and residents of the former Yugoslav Republic of Macedonia to file international applications with the European Patent Office (EPO) as receiving Office, in addition to the State Office of Industrial Property (the former Yugoslav Republic of Macedonia) or the International Bureau of WIPO.

This accession brings the number of Contracting States of the EPC to 35.

*Effect on the extension agreement between the EPO and the former Yugoslav Republic of Macedonia*

The extension agreement between the former Yugoslav Republic of Macedonia and the European Patent Organisation will terminate with the entry into force of the EPC in the former

Yugoslav Republic of Macedonia on 1 January 2009. It will thereafter no longer be possible to extend European patent applications and patents to the former Yugoslav Republic of Macedonia. The extension system will, however, continue to apply to all European and international applications filed prior to 1 January 2009, as well as to all European patents granted in respect of such applications.

Further information on the accession to the EPC by the former Yugoslav Republic of Macedonia is contained in the *Official Journal of the EPO* No. 11/2008 at:

[http://www.european-patent-office.org/epo/pubs/oj008/11\\_08/11\\_5078.pdf](http://www.european-patent-office.org/epo/pubs/oj008/11_08/11_5078.pdf)

(Updating of the *PCT Applicant's Guide*, Annexes B1 (MK), B2 (EP) and C (EP))

### **EPO: Change in the Conditions for Entitlement to the 75% Reduction in PCT Search and Preliminary Examination Fees**

On 21 October 2008, the Administrative Council of the European Patent Organisation made a decision concerning the reduction of the fees for international search and preliminary examination carried out on international applications in favor of nationals of certain States. That decision supersedes the decision of 11 October 2000 which was published in the *Official Journal of the EPO*, No. 10/2000 (see also *PCT Newsletter* No. 11/2000, page 3).

As a result of that decision, there will be a change, as from 1 January 2009, in the conditions for a 75% reduction in the search fee, the additional search fee, the preliminary examination fee and the additional preliminary examination fee, payable to the European Patent Office (EPO). As from that date, the fees will be reduced by 75% if the international application or the demand for international preliminary examination is filed by a natural person who is a national of and resident in a State which is not a Contracting State of the European Patent Convention, and which, on the date of filing of the application or of the demand, is listed as a low-income or lower-middle-income economy by the World Bank<sup>1</sup>. If there are several applicants, each must satisfy these criteria.

The new conditions will apply, with respect to the reduction in the search fee, to all international applications filed on or after 1 January 2009, and, with respect to the reduction in the preliminary examination fee, to all demands filed on or after that date.

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<sup>1</sup> The States which will meet the criteria on 1 January 2009 are as follows (PCT Contracting States are in bold print): Afghanistan, **Albania, Algeria, Angola, Armenia, Azerbaijan**, Bangladesh, **Benin**, Bhutan, Bolivia, **Bosnia and Herzegovina, Burkina Faso, Burundi**, Cambodia, **Cameroon**, Cape Verde, **Central African Republic, Chad, China, Colombia, Comoros, Congo, Côte d'Ivoire, Democratic People's Republic of Korea**, Democratic Republic of the Congo, Djibouti, **Dominican Republic, Ecuador, Egypt, El Salvador**, Eritrea, Ethiopia, **Gambia, Georgia, Ghana, Guatemala, Guinea, Guinea-Bissau**, Guyana, Haiti, **Honduras, India, Indonesia**, Iraq, Iran (Islamic Republic of), Jordan, **Kenya**, Kiribati, **Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Liberia, Madagascar, Malawi**, Maldives, **Mali**, Marshall Islands, **Mauritania**, Micronesia (Federated States of), **Mongolia, Morocco, Mozambique**, Myanmar, **Namibia**, Nepal, **Nicaragua, Niger, Nigeria**, Pakistan, **Papua New Guinea**, Paraguay, Peru, **Philippines, Republic of Moldova**, Rwanda, Samoa, **Sao Tome and Principe, Senegal, Sierra Leone**, Solomon Islands, Somalia, **Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Tajikistan**, Thailand, Timor-Leste, **Togo**, Tonga, **Tunisia, Turkmenistan, Uganda, Ukraine, United Republic of Tanzania, Uzbekistan**, Vanuatu, **Viet Nam**, Yemen, **Zambia, Zimbabwe**.

For further information, see the *Official Journal of the EPO* No. 11/2008 at:

[http://www.european-patent-office.org/epo/pubs/oj008/11\\_08/11\\_5218.pdf](http://www.european-patent-office.org/epo/pubs/oj008/11_08/11_5218.pdf)

(Updating of *PCT Applicant's Guide*, Annexes D (EP) and E (EP))

## PCT Information Update

### AU Australia (fees)

As from 1 February 2009, there will be a change in the equivalent amounts of the international filing fee and the fee per sheet over 30, payable in AUD to the Australian Patent Office as receiving Office, as well as a change in the equivalent amount in AUD of the PCT-EASY fee reduction and electronic filing fee reductions listed in item 3 of the Schedule of Fees, as indicated in Fee Table I(a).

(Updating of *PCT Applicant's Guide*, Annex C (AU))

### BH Bahrain (competent International Searching and Preliminary Examining Authorities)

The National Patent Office (Bahrain) has specified the Austrian Patent Office, in addition to the European Patent Office, as competent International Searching and Preliminary Examining Authority for international applications filed by nationals and residents of Bahrain with the National Patent Office as receiving Office.

(Updating of *PCT Applicant's Guide*, Annex C (BH))

### EE Estonia (fees)

The Estonian Patent Office has notified a change in the currency of payment of the international filing fee and the fee per sheet in excess of 30, and in the currency of the PCT-EASY fee reduction, with effect from 1 January 2009, from Estonian kroon (EEK) to Swiss franc (CHF), as indicated in Fee Table I(a). The amount and currency of the transmittal fee and the fee for priority document (EEK) has not changed.

(Updating of *PCT Applicant's Guide*, Annex C (EE))

### IB International Bureau (fees)

As from 1 January 2009, there will be a change in the equivalent amount in USD of the following fees, payable to the IB as receiving Office:

Transmittal fee: .....	see Fee Table I(a)
Fee for priority document:.....	USD 45
Supplement for airmail: .....	USD 9

(Updating of *PCT Applicant's Guide*, Annex C (IB))

### IS Iceland (fees)

As from 1 February 2009, there will be a change in the equivalent amounts of the international filing fee and the fee per sheet over 30, payable in ISK to the Icelandic Patent Office as

receiving Office, as well as a change in the equivalent amounts in ISK of the PCT-EASY fee reduction (see item 3(a) of the Schedule of Fees), as indicated in Fee Table I(a).

(Updating of *PCT Applicant's Guide*, Annex C (IS))

### **JP Japan (fees)**

As from 15 February 2009, there will be a change in the equivalent amounts of the international filing fee and the fee per sheet over 30, payable in JPY to the Japan Patent Office as receiving Office, as well as a change in the equivalent amounts in JPY of the PCT-EASY and electronic filing fee reduction listed in item 3 of the Schedule of Fees, as indicated in Fee Table I(a).

(Updating of *PCT Applicant's Guide*, Annex C (JP))

### **KR Republic of Korea (fees)**

As from 15 February 2009, there will be a change in the equivalent amounts of the international filing fee and the fee per sheet over 30, payable in KRW to the Korean Intellectual Property Office as receiving Office, as well as a change in the equivalent amounts in KRW of the PCT-EASY and electronic filing fee reduction listed in item 3 of the Schedule of Fees, as indicated in Fee Table I(a).

(Updating of *PCT Applicant's Guide*, Annex C (KR))

### **NO Norway (fees)**

As from 1 February 2009, there will be a change in the equivalent amounts of the international filing fee and the fee per sheet over 30, payable in NOK to the Norwegian Industrial Property Office as receiving Office, as well as a change in the equivalent amounts in NOK of the PCT-EASY fee reduction (see item 3(a) of the Schedule of Fees), as indicated in Fee Table I(a).

(Updating of *PCT Applicant's Guide*, Annex C (NO))

### **NZ New Zealand (fees)**

As from 1 February 2009, there will be a change in the equivalent amounts of the international filing fee and the fee per sheet over 30, payable in NZD to the Intellectual Property Office of New Zealand as receiving Office, as well as a change in the equivalent amounts in NZD of the PCT-EASY fee reduction (see item 3(a) of the Schedule of Fees), as indicated in Fee Table I(a).

(Updating of *PCT Applicant's Guide*, Annex C (NZ))

### **US United States of America (fees)**

The amount of the transmittal fee, payable to the United States Patent and Trademark Office as receiving Office will change with effect from 12 January 2009, as indicated in Fee Table I(a).

(Updating of *PCT Applicant's Guide*, Annex C (US))

**Search fee and other fees relating to the international search (Australian Patent Office, Austrian Patent Office, Canadian Intellectual Property Office, European Patent Office, Federal Service for Intellectual Property, Patents and Trademarks (Russian Federation), Japan Patent Office, Korean Intellectual Property Office, National Board of Patents and Registration of Finland, Nordic Patent Institute, State Intellectual Property Office of the People's Republic of China, Swedish Patent and Registration Office, United States Patent and Trademark Office)**

As from 1 January 2009, there will be two different amounts, depending on whether the international application has been filed in English or Korean, payable in KRW for an international search carried out by the Korean Intellectual Property Office. The equivalent amounts payable in CHF and EUR will also change accordingly (equivalent amounts in NZD, SGD and USD are not yet known and will be notified as soon as possible).

In addition, there will be a change in the equivalent amount payable in USD for an international search carried out by the Nordic Patent Institute as from that date.

For the purposes of payment of fees to the International Bureau as receiving Office, there will also be a change, as from 1 January 2009, in the equivalent amount payable in USD for an international search carried out by the National Board of Patents and Registration of Finland.

For information about the reduction applicable, with effect from 1 January 2009, in respect of fees payable to the European Patent Office for an international search, see "EPO: Change in the Conditions for Entitlement to the 75% Reduction in PCT Search and Preliminary Examination Fees", above.

As from 12 January 2009, there will be a change in the amount payable in USD, as well as in the equivalent amounts payable in CHF and EUR, for an international search carried out by the United States Patent Office (equivalent amounts in NZD and ZAR are not yet known and will be notified as soon as possible), as indicated in Fee Table I(b), as well as a change in the amount of the additional search fee, as indicated below:

Additional search fee: .....	USD	2,080
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As from 1 February 2009, there will be a change in the equivalent amounts payable in the currencies specified below for international searches carried out by the following Offices:

Australian Patent Office .....	USD
Austrian Patent Office.....	USD
Canadian Intellectual Property Office .....	USD
European Patent Office .....	ISK, NOK, NZD, ZAR
Federal Service for Intellectual Property, Patents and Trademarks (Russian Federation) .....	CHF, EUR
Japan Patent Office .....	CHF, EUR
National Board of Patents and Registration of Finland .....	CHF
Nordic Patent Institute .....	CHF, ISK, NOK
State Intellectual Property Office of the People's Republic of China .....	EUR
Swedish Patent and Registration Office .....	ISK, NOK

As from 15 February 2009, there will be a change in the equivalent amounts payable in the currencies specified below for international searches carried out by the following Offices:

Australian Patent Office .....	EUR, KRW, NZD, SGD
European Patent Office .....	JPY

Unless otherwise stated, the above-mentioned changes are indicated in Fee Table I(b).

(Updating of *PCT Applicant's Guide*, Annexes D (AT), (AU), (CA), (CN), (EP), (FI), (JP), (KR), (RU), (SE), (US) and (XN))

### **Fees relating to the international preliminary examination (Korean Intellectual Property Office, Spanish Patent and Trademark Office)**

As from 1 January 2009 there will be changes in the amounts payable in KRW for an international preliminary examination carried out by the Korean Intellectual Property Office, and in EUR for an international preliminary examination carried out by the Spanish Patent and Trademark Office, as indicated in Fee Table II. There will also be a change in the amount of the additional preliminary examination fee payable to the latter Office, as indicated below.

Additional preliminary examination fee: ..... EUR 555.33

For information about the reduction applicable, with effect from 1 January 2009, in respect of fees payable to the European Patent Office for an international preliminary examination, see "EPO: Change in the Conditions for Entitlement to the 75% Reduction in PCT Search and Preliminary Examination Fees", above.

(Updating of *PCT Applicant's Guide*, Annexes E (ES) and (KR))

### **New/Updated PCT Resources on the Internet (<http://www.wipo.int/pct/en>)**

#### **PCT Forms**

The following PCT forms are now available in editable PDF format, in English and French, on the PCT Resources page at:

<http://www.wipo.int/pct/en/forms/2009/index.html>

#### *Forms relating to the Power of Attorney:*

Power of Attorney (PCT Rule 90.4)  
General Power of Attorney (PCT Rule 90.5)

#### *Forms relating to the International Bureau:*

PCT/IB/372  
PCT/IB/375  
PCT/IB/380

### **Supplementary International Search: PowerPoint presentation**

A PowerPoint presentation that provides practical guidance to applicants concerning supplementary international search is now available at:

<http://www.wipo.int/pct/en/texts/ppt/sis.ppt>

## **Collection of PCT User Strategies**

The first in a series of PCT strategy presentations, a presentation entitled “PCT for the Americas, How PCT Has Been a Success for a US Multinational, Procter & Gamble”, prepared by Timothy B. Guffey, Manager, Global Patent Services, The Procter & Gamble Company, has been added to the collection of PCT User Strategies on the PCT Resources page at:

[http://www.wipo.int/pct/en/pct\\_strategies/pct\\_for\\_the\\_americas\\_guffey.pdf](http://www.wipo.int/pct/en/pct_strategies/pct_for_the_americas_guffey.pdf)

## **PCT Resources in Arabic**

The Arabic part of the PCT Resources page has been updated and expanded in line with PCT Resources pages in other languages to improve navigability for Arabic-speaking users. Links to alternative language versions in English and, where available, French, are included where no translation in Arabic is available. See:

<http://www.wipo.int/pct/ar/index.html>

## **PCT Resources in Portuguese**

The Portuguese part of the PCT Resources page has been updated and expanded in line with PCT Resources pages in other languages to improve navigability for Portuguese-speaking users, and now includes the list of PCT Contracting States, information about the PCT Information Service and a provisional version of the PCT Regulations that will enter into force on 1 January 2009. Links to alternative language versions in English and, where available, French and Spanish, are included where no translation in Portuguese is available. See:

<http://www.wipo.int/pct/pt/index.html>

## ***PCT Applicant's Guide***

The Introduction to the International Phase which has been updated to take into account the July 2008 amendments to the PCT Regulations, is now available in French in HTML format, in addition to PDF format, at:

<http://www.wipo.int/pct/guide/fr/index.html>

## **Modifications to Administrative Instructions and to certain PCT Forms**

See separate item, above.

## **Time limits for entering the national phase**

A revised version of the table of time limits for entering the national phase has been prepared and is available on the PCT resources page in English and French at, respectively:

[http://www.wipo.int/pct/en/texts/pdf/time\\_limits.pdf](http://www.wipo.int/pct/en/texts/pdf/time_limits.pdf)

[http://www.wipo.int/pct/fr/texts/pdf/time\\_limits.pdf](http://www.wipo.int/pct/fr/texts/pdf/time_limits.pdf)

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.

## PCT User Survey (reminder)

For those PCT users who have not yet had the chance to complete WIPO's PCT user survey, we would like to stress that this survey is very important to the International Bureau (IB). Your responses will enable the IB to assess user satisfaction concerning all aspects of the PCT system, and will provide us with valuable input on your needs, expectations and experiences, as PCT users, and thereby help to improve existing practices and levels of service delivery.

We would very much appreciate it if you would take the time to complete the survey which is available on the WIPO website at:

<https://webaccess.wipo.int/opinio/s?s=2433>

## PATENTSCOPE® Search Service

(<http://www.wipo.int/pctdb>)

## Modification of kind codes

As from 1 January 2009, publication codes ("kind codes"), which are used to distinguish PCT international applications published by the International Bureau (IB), will be modified.

International applications republished with alterations, amendments, corrections or supplements will be specifically distinguished from other documents by additional publication codes not previously used. The purpose of this change is to improve the usability of published PCT data and documents by more clearly identifying the reasons for republication of international applications.

In compliance with WIPO Standard ST.16, the following publication codes will be used (additional codes are denoted by bold italics):

<b>Code</b>	<b>Publication details</b>
A1	International application published with ISR
A2	International application published without ISR
A2	International application published with declaration under PCT Article 17(2)(a)
A3	Later publication of ISR with revised front page
<b>A4</b>	Later publication of amended claims and/or statement (PCT Article 19) with revised front page
<b>A8</b>	International application republished with corrections to front page bibliographic data
<b>A9</b>	International application or ISR republished with corrections, alterations or supplements (see also WIPO Standard ST.50)

For example: under the present system, an international application published with an ISR would retain the publication code A1 after republication for any reason; under the new system, the application would be assigned the publication code A4 if republished with amended claims.

*International applications affected*

Changes in publication codes will be reflected in all international applications published or republished by the IB on or after 1 January 2009. International applications published or republished before that date will not be affected and will retain their original publication codes.

*Products affected*

The following WIPO products will be affected by these changes:

- PATENTSCOPE® Search Service;
- Weekly Published PCT Data on DVD (PCT Rule 87 and PCT Article 20 DVDs);
- Weekly Published PCT Data through FTP;
- Communication on request (COR).

The information below illustrates, by republication reason, the various situations in which the codes will change:

<b>Modification of Kind Codes</b>		
	Current system (until 31 December 2008)	New system (as from 1 January 2009)
<b>1) International application published with international search report (ISR)</b>	A1	A1
Amended claims and/or statement	A1	A4
Corrections to front page bibliographic data	A1	A8
Corrections, alterations or supplements	A1	A9
<b>2) International application published without ISR</b>	A2	A2
Amended claims and/or statement	A2	A4
Corrections to front page bibliographic data	A2	A8
Corrections, alterations or supplements	A2	A9
<b>3) ISR (published separately from corresponding international application)</b>	A3	A3
Amended claims and/or statement	A3	A4
Corrections to front page bibliographic data	A3	A8
Corrections, alterations or supplements	A3	A9

**Practical Advice****International applications in respect of which a supplementary international search may be requested; how to request such a search.**

*Q: I have filed an international application claiming the priority of an earlier application filed on 11 June 2007. Will it be possible for me to take advantage of the new supplementary international search service that will start up on 1 January 2009, or is it only available for*

*international applications filed on or after that date? If I am eligible to request a supplementary search, please could you tell me how to do this?*

A: The new supplementary international search service will be available not only to international applications filed on or after 1 January 2009, but also to existing international applications where the time limit for requesting supplementary international search (SIS) has not yet expired (PCT Rule 45*bis*.1(a)). The time limit for requesting SIS is 19 months from the priority date (or international filing date, if the application does not claim the priority of an earlier-filed application). Therefore, this new service will be available for any international application with a priority date on or after 1 June 2007.

It is expected that requests for SIS will normally be made after the applicant has received and assessed the main international search report, but this does not necessarily have to be the case (and will, unfortunately, sometimes not be possible where the main international search report is issued late). You should request SIS using Form PCT/IB/375, which should be filed with the IB and not sent directly to any of the Authorities specified for SIS. Form PCT/IB/375 is now available, in editable PDF format, on the PCT Resources page at:

[http://www.wipo.int/pct/en/forms/2009/ed\\_ib375.pdf](http://www.wipo.int/pct/en/forms/2009/ed_ib375.pdf)

When completing the supplementary search request form, you should select the International Searching Authority (ISA) which is to carry out the SIS, noting that this must be one of the three ISAs which are offering the SIS service from 1 January 2009, and that it cannot be the ISA which has carried out the “main search” under PCT Article 16(1). It is possible to have more than one SIS carried out on the same application (PCT Rule 45*bis*.1(a)), however, if you want to do this, a separate supplementary search request should be submitted for each SIS requested.

The fees for SIS, the supplementary search fee and the supplementary search handling fee, should be paid to the IB, in Swiss francs, within one month from the date on which the supplementary search request is received by the IB.

This request may need to be accompanied by:

- a translation of the international application into a language accepted by the Authority if the international application is not in such a language and the receiving Office has not yet forwarded a translation under PCT Rule 12.3 or 12.4; and/or
- a copy of any sequence listing in an acceptable electronic form if such a listing was not originally provided in the international application.

In accordance with PCT Rule 92.2(d), you must file the supplementary search request in English or French.

If your supplementary search request is received by the IB after the expiration of the applicable time limit, it will be considered not to have been submitted and there are no provisions for extending this time limit.

For further information, see:

- the item entitled: “New PCT Service: Supplementary International Search” in this issue
- Form PCT/IB/375 and in particular the Notes to that form, available at:  
[http://www.wipo.int/pct/en/forms/2009/ed\\_ib375.pdf](http://www.wipo.int/pct/en/forms/2009/ed_ib375.pdf)

<b>PCT Seminar Calendar</b> (situation on 11 December 2008)			
<b>Dates and location</b>	<b>Language of seminar</b>	<b>Nature of seminar; WIPO speakers (and others where known)</b>	<b>Organizer and contact numbers</b>
<b>11–12 December 2008 London (GB)</b> <i>[previously announced as 4–5 December 2008]</i>	English	Advanced formalities seminar WIPO speakers: Mrs. Coeckelbergs and Ms. Schwarz	Management Forum Ltd Tel: (44-1483) 57 00 99 Fax: (44-1483) 53 64 24 E-mail: josephine.leak@management-forum.co.uk
<b>20–21 January 2009 Helsinki (FI)</b>	Finnish	Seminar for patent administrators on the PCT and PCT-SAFE WIPO speaker: Mrs. Metcalfe	Helsinki University of Technology, Lifelong Learning Institute Dipoli (Ms. Arja Andsten) Tel: (358–9) 451 40 47 Fax: (358–9) 451 40 68 E-mail: arja.andsten@dipoli.tkk.fi Internet: www.dipoli.tkk.fi
<b>4 February 2009 Ecully (FR)</b>	French	PCT presentation for patent attorneys WIPO speakers: to be announced	Centre Paul Roubier Tel: (33-4) 78 33 07 08 Fax: (33-4) 78 33 58 96
<b>10–11 February 2009 Munich (DE)</b>	German	Basic PCT seminar WIPO speakers: Mrs. Coeckelbergs and Mrs. Mülhausen	Forum Institut für Management GmbH Tel: (49-6221) 500 500 Fax: (49-6221) 500 505 E-mail: a.kapeller@forum-institut.de
<b>10–11 March 2009 Munich (DE)</b>	German	Advanced PCT seminar WIPO speakers: to be announced Other speaker: Mr. Wolff (European Patent Office)	Forum Institut für Management GmbH Tel: (49-6221) 500 500 Fax: (49-6221) 500 505 E-mail: a.kapeller@forum-institut.de
<b>24–25 April 2009 Concord, New Hampshire (US)</b>	English	Comprehensive PCT seminar WIPO speakers: Mrs. Bidwell and Mr. Reed	Franklin Pierce Law Center (Ms. Carol Ruh) Tel: (1-603) 228 15 41, ext. 1108 Fax: (1-603) 225 96 47 E-mail: cruh@piercelaw.edu Internet: www.piercelaw.edu/cle/pct.php
<b>27–28 April 2009 Falls Church, Virginia (US)</b>	English	Comprehensive PCT seminar WIPO speakers: Mrs. Bidwell and Mr. Reed	Birch, Stewart, Kolasch & Birch, LLP (Ms. Elizabeth Richards) Tel: (1-703) 205 80 00 Fax: (1-703) 205 80 50 E-mail: ClientRelations@bskb.com Internet: www.bskb.com
<b>30 June 2009 Cologne (DE)</b>	German	PCT update WIPO speakers: to be announced	Forum Institut für Management GmbH Tel: (49-6221) 500 500 Fax: (49-6221) 500 505 E-mail: a.kapeller@forum-institut.de

**Other IP events****Conference on Intellectual Property and Global Challenges, International Conference Centre Geneva (CICG), 13–14 July 2009. Save the Date!**

The Conference will address issues relating to the interface of intellectual property with other areas of public policy, notably health, the environment, climate change, food security and disability.

Further information will be published in due course.

## PCT Fee Tables (amounts on 1 December 2008, 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*, 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, 200 or 300 where the international application, or part of the international application, is filed in electronic form, as prescribed under Item 3(a), (b), (c) and (d) of the Schedule of Fees (annexed to the Regulations under the PCT) and the *PCT Applicant's Guide*, paragraph 202(A). A 90% 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 2 and 12. (Note that if the CHF 100, 200 or 300 reduction, as the case may be, and the 90% reduction are applicable, the 90% 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	GEL	Georgian lari	LVL	Latvian lat	SEK	Swedish krona
IPEA	International Preliminary Examining Authority	BHD	Bahraini dinar	GHC	Ghanaian cedi	LYD	Libyan dinar	SGD	Singapore dollar
ISA	International Searching Authority	BRR	Brazilian real	HRK	Croatian kuna	MAD	Moroccan dirham	SKK	Slovak koruna
RO	receiving Office	BYR	Belarussian rouble	HUF	Hungarian forint	MKD	Macedonian denar	TJS	Tajik somoni
		BZD	Belize dollar	IDR	Indonesian rupiah	MWK	Malawian kwacha	TND	Tunisian dinar
		CAD	Canadian dollar	ILS	New Israel shekel	MXP	Mexican peso	TTD	Trinidad and Tobago dollar
		CHF	Swiss franc	INR	Indian rupee	MYR	Malaysian ringgit		
<b>Currencies:</b>		CNY	Yuan renminbi	ISK	Icelandic krona	NOK	Norwegian krone	UAH	Ukrainian hryvnia
		COP	Colombian peso	JPY	Japanese yen	NZD	New Zealand dollar	USD	US dollar
AED	United Arab Emirates dirham	CUC	Cuban convertible peso	KES	Kenyan shilling	PGK	Kina	VND	Vietnamese dong
ALL	Albanian lek	CZK	Czech koruna	KGS	Kyrgyz som	PHP	Philippine peso	XAF	CFA franc BEAC
AMD	Armenian dram	DKK	Danish krone	KPW	KP won	PLZ	Polish zloty	ZAR	South African rand
AUD	Australian dollar	DZD	Algerian dinar	KRW	KR won	ROL	Romanian leu	ZWD	Zimbabwe dollar
AZM	Azerbaijani manat	EEK	Estonian kroon	KZT	Kazakh tenge	RSD	Serbian dinar		
BAM	Convertible mark	EUR	Euro	LSL	Lesotho loti	RUR	Russian rouble		
		GBP	Pound sterling	LTL	Lithuanian litas	SDP	Sudanese pound		

**Table I(a) — Transmittal and international filing fees**  
(amounts on 1 December 2008, unless otherwise indicated)

RO	Transmittal fee <sup>1</sup>		International filing fee <sup>1, 2</sup> (CHF 1,330)	Fee per sheet over 30 <sup>1, 2, 3</sup> (CHF 15)	E-filing reductions according to Schedule of Fees:			Competent ISA(s) <sup>4</sup>
					Items 3(a) <sup>5</sup> and (b) <sup>6</sup> (CHF 100)	Item 3(c) <sup>7</sup> (CHF 200)	Item 3(d) <sup>8</sup> (CHF 300)	
AG	Information not yet available							
AL	ALL	9,000	CHF 1,330	15	–	–	–	EP
AM	AMD	32,000	USD 1,338 <i>(from 1.1.09 1,210)</i>	15 <i>(14)</i>	101 <i>(91)</i>	– <i>(–)</i>	– <i>(–)</i>	EP RU
AP	USD	50 <i>(or eq in local currency)</i>	USD 1,338 <i>(from 1.1.09 1,210)</i>	15 <i>(14)</i>	101 <i>(91)</i>	– <i>(–)</i>	– <i>(–)</i>	AT EP SE
AT	EUR	50	EUR 848	10	64	–	–	EP
AU	AUD	150	AUD 1,353 <i>(from 1.1.09 1,510)</i> <i>(from 1.2.09: 1,645)</i>	15 <i>(17)</i> <i>(19)</i>	102 <i>(114)</i> <i>(124)</i>	204 <i>(227)</i> <i>(247)</i>	305 <i>(341)</i> <i>(371)</i>	AU
AZ	AZM	55,000	USD 1,338 <i>(from 1.1.09 1,210)</i>	15 <i>(14)</i>	– <i>(–)</i>	– <i>(–)</i>	– <i>(–)</i>	EP RU
BA	BAM	50	EUR 848	10	64	–	–	EP
BE	EUR	40	EUR 848	10	64	–	–	EP
BG	BGL	80	BGL eq CHF 1,330	eq CHF 15	eq CHF 100	–	–	EP RU
BH	BHD	70	USD 1,338 <i>(from 1.1.09 1,210)</i>	15 <i>(14)</i>	– <i>(–)</i>	– <i>(–)</i>	– <i>(–)</i>	AT EP
BR	BRR	305	BRR eq CHF 1,330	eq CHF 15	eq CHF 100	–	–	AT EP SE US
BW	USD <sup>9</sup>	–	USD 1,338 <i>(from 1.1.09 1,210)</i>	15 <i>(14)</i>	101 <i>(91)</i>	– <i>(–)</i>	– <i>(–)</i>	EP
BY	BYR eq USD	70	USD 1,338 <i>(from 1.1.09 1,210)</i>	15 <i>(14)</i>	– <i>(–)</i>	– <i>(–)</i>	– <i>(–)</i>	EP RU
BZ	BZD	300	USD 1,338 <i>(from 1.1.09 1,210)</i>	15 <i>(14)</i>	101 <i>(91)</i>	– <i>(–)</i>	– <i>(–)</i>	CA EP

*[continued on next page]*

**Table I(a) — Transmittal and international filing fees [continued]**

(amounts on 1 December 2008, unless otherwise indicated)

RO	Transmittal fee <sup>1</sup>		International filing fee <sup>1,2</sup>		Fee per sheet over 30 <sup>1,2,3</sup>		E-filing reductions according to Schedule of Fees:			Competent ISA(s) <sup>4</sup>
							Items 3(a) <sup>5</sup> and (b) <sup>6</sup>	Item 3(c) <sup>7</sup>	Item 3(d) <sup>8</sup>	
CA	CAD	300	CAD	1,289	15	15	97	194	291	CA
CH	CHF	100	CHF	1,330	15	15	100	–	–	EP
CN	CNY	500	CNY	eq CHF 1,330	eq CHF 15	15	eq CHF 100	eq CHF 200	eq CHF 300	CN
CO	COP <sup>9</sup>	–	COP	eq USD 1,338 (from 1.1.09: 1,210)	eq USD 15 (14)	15	eq USD 101 (91)	– (–)	– (–)	AT, EP, ES, RU
CR	USD	250	USD	1,338 (from 1.1.09: 1,210)	15 (14)	15	101 (91)	– (–)	– (–)	EP ES
CU	CUC	200	CUC	1,338 (from 1.1.09: 1,210)	15 (14)	15	101 (91)	– (–)	– (–)	AT EP ES RU
CY	EUR	128.15	EUR	848	10	10	–	–	–	EP
CZ	CZK	1,500	EUR	848	10	10	64	–	–	EP
DE	EUR	90	EUR	848	10	10	64	128	191	EP
DK	DKK	1,500	DKK	6,320	70	70	480	950	1,430	EP SE XN
DM	Information not yet available									
DO	USD	275	USD	1,338 (from 1.1.09: 1,210)	15 (14)	15	101 (91)	– (–)	– (–)	EP ES US
DZ	DZD	None	CHF	1,330	15	15	100	–	–	AT EP
EA	RUR	1,600	USD	1,338 (from 1.1.09: 1,210)	15 (14)	15	101 (91)	– (–)	– (–)	EP RU
EC	USD <sup>9</sup>	–	USD	1,338 (from 1.1.09: 1,210)	15 (14)	15	101 (91)	– (–)	– (–)	EP ES
EE	EEK	1,800	CHF	1,330	15	15	100	–	–	EP
EG	USD	142	USD	1,338 (from 1.1.09: 1,210)	15 (14)	15	101 (91)	– (–)	– (–)	AT EP US
EP	EUR	110	EUR	848	10	10	–	128	191	EP
ES	EUR	69.25	EUR	848	10	10	64	128	191	EP ES
FI	EUR	135	EUR	848	10	10	–	128	191	EP FI SE
FR	EUR	60	EUR	848	10	10	64	128	191	EP
GB	GBP	55	GBP	675	8	8	51	101	152	EP
GD	Information not yet available									
GE	GEL <sup>10</sup>	10	USD	1,338 (from 1.1.09: 1,210)	15 (14)	15	101 (91)	– (–)	– (–)	EP RU
GH	GHC <sup>11</sup>	2,500 or 5,000	USD	1,338 (from 1.1.09: 1,210)	15 (14)	15	– (–)	– (–)	– (–)	AT AU CN EP SE
GR	EUR	115	EUR	848	10	10	64	–	–	EP
GT	Information not yet available									
HN	Information not yet available									
HR	HRK	200	HRK	eq CHF 1,330	eq CHF 15	15	eq CHF 100	–	–	EP
HU	HUF	10,700	HUF	eq CHF 1,330	eq CHF 15	15	eq CHF 100	–	–	EP RU
IB	CHF <sup>12</sup> or EUR <sup>12</sup> or USD <sup>12</sup> (from 1.1.09: 91)	100 64 101 91	CHF	1,330 848 1,338 (from 1.1.09: 1,210)	15 10 15 (14)	15	100 64 101 (91)	200 128 201 (182)	300 191 302 (273)	See footnote 13
ID	IDR	1,000,000	IDR	eq CHF 1,330	eq CHF 15	15	eq CHF 100	–	–	AU EP KR RU
IE	EUR	76	EUR	848	10	10	64	–	–	EP
IL	ILS	503	USD	1,338 (from 1.1.09: 1,210)	15 (14)	15	101 (91)	– (–)	– (–)	EP US
IN	INR	8,000 (filing by indiv: 2,000)	USD	1,338 (from 1.1.09: 1,210)	15 (14)	15	101 (91)	– (–)	– (–)	AT AU CN EP SE US

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**Table I(a) — Transmittal and international filing fees [continued]**

(amounts on 1 December 2008, unless otherwise indicated)

RO	Transmittal fee <sup>1</sup>		International filing fee <sup>1,2</sup>		Fee per sheet over 30 <sup>1,2,3</sup>		E-filing reductions according to Schedule of Fees:			Competent ISA(s) <sup>4</sup>
							Items 3(a) <sup>5</sup> and (b) <sup>6</sup>	Item 3(c) <sup>7</sup>	Item 3(d) <sup>8</sup>	
IS	ISK	7,700	ISK 101,400 (from 1.2.09: 129,500)	1,100 (1,500)	7,600 (9,700)	– (–)	– (–)	– (–)	– (–)	EP SE XN
IT	EUR	30.99	EUR 848	10	–	–	–	–	–	EP
JP	JPY	13,000	JPY 133,400 (from 15.2.09: 113,200)	1,500 (1,300)	10,000 (8,500)	– (–)	– (–)	30,100 (25,500)	–	EP JP
KE	USD (or KES equiv) <sup>250</sup> plus cost of mailing		USD 1,338 (from 1.1.09: 1,210)	15 (14)	101 (91)	– (–)	– (–)	– (–)	– (–)	AT AU CN EP SE
KG	KGS eq USD	100	USD 1,338 (from 1.1.09: 1,210)	15 (14)	101 (91)	– (–)	– (–)	– (–)	– (–)	EP RU
KM	Information not yet available									
KN	Information not yet available									
KP	KPW eq CHF	50	KPW eq CHF 1,330	eq CHF 15	eq CHF 100	–	–	–	–	AT CN RU
KR	KRW	45,000	KRW 1,327,000 (from 15.2.09: 1,614,000)	15,000 (18,000)	100,000 (121,000)	– (–)	– (–)	299,000 (364,000)	–	AT AU JP <sup>14</sup> KR
KZ	KZT	7,360	USD 1,338 (from 1.1.09: 1,210)	15 (14)	101 (91)	– (–)	– (–)	– (–)	– (–)	EP RU
LR	USD	45	USD 1,338 (from 1.1.09: 1,210)	15 (14)	– (–)	– (–)	– (–)	– (–)	– (–)	AT AU CN EP SE
LS	LSL <sup>9</sup>	–	LSL eq CHF 1,330	eq CHF 15	–	–	–	–	–	AT EP
LT	LTL	320	EUR 848	10	64	–	–	–	–	EP RU
LU	EUR	19	EUR 848	10	–	–	–	–	–	EP
LV	LVL	47.20	EUR 848	10	64	–	–	–	–	EP RU
LY	LYD <sup>9</sup>	–	CHF 1,330	15	100	–	–	–	–	AT EP
MA		None	CHF 1,330	15	–	–	–	–	–	AT EP RU SE
MC	EUR	54 <sup>15</sup>	EUR 848	10	–	–	–	–	–	EP
MD	USD	40	USD 1,338 (from 1.1.09: 1,210)	15 (14)	101 (91)	– (–)	– (–)	– (–)	– (–)	EP RU
MK	MKD	2,700	MKD eq CHF 1,330	eq CHF 15	eq CHF 100	–	–	–	–	EP
MN		None	CHF 1,330	15	100	–	–	–	–	EP KR RU
MT	EUR	55	EUR 848	10	64	–	–	–	–	EP
MW	MWK	6,000	MWK 182,500	2,100	13,700	–	–	–	–	EP
MX	MXP eq USD	323.70	MXP eq CHF 1,330	eq CHF 15	eq CHF 100	–	–	–	–	EP ES SE US
MY	MYR	375 <sup>16</sup>	MYR eq CHF 1,330	eq CHF 15	–	eq CHF 200	eq CHF 300	–	–	AU EP KR
NI	USD	200	USD 1,338 (from 1.1.09: 1,210)	15 (14)	101 (91)	– (–)	– (–)	– (–)	– (–)	EP ES
NL	EUR	50	EUR 848	10	64	128	191	–	–	EP
NO	NOK	550	NOK 6,820 (from 1.2.09: 7,740)	80 (90)	510 (580)	– (–)	– (–)	– (–)	– (–)	EP SE XN
NZ	NZD	180 <sup>17</sup>	NZD 1,704 (from 1.2.09: 1,888)	19 (21)	128 (142)	– (–)	– (–)	– (–)	– (–)	AU EP KR US
OA	XAF <sup>9</sup>	–	XAF eq CHF 1,330	eq CHF 15	–	–	–	–	–	AT EP RU SE

[continued on next page]

**Table I(a) — Transmittal and international filing fees [continued]**

(amounts on 1 December 2008, unless otherwise indicated)

RO	Transmittal fee <sup>1</sup>		International filing fee <sup>1,2</sup>	Fee per sheet over 30 <sup>1,2,3</sup>	E-filing reductions according to Schedule of Fees:			Competent ISA(s) <sup>4</sup>
					Items 3(a) <sup>5</sup> and (b) <sup>6</sup>	Item 3(c) <sup>7</sup>	Item 3(d) <sup>8</sup>	
PG	PGK	250	USD 1,338 (from 1.1.09: 1,210)	15 (14)	101 (91)	– (–)	– (–)	AU
PH	PHP	3,500	USD 1,338 (from 1.1.09: 1,210)	15 (14)	101 (91)	201 (182)	302 (273)	AU EP JP KR US
PL	PLZ	300	PLZ eq CHF 1,330	eq CHF 15	–	eq CHF 200	eq CHF 300	EP
PT	EUR	34.34	EUR 848	10	64	–	–	EP
RO	ROL	300,000	CHF 1,330	15	100	200	300	EP RU
RS	RSD	3,000	RSD eq CHF 1,330	eq CHF 15	eq CHF 100	–	–	EP
RU	RUR	600	USD 1,338 (from 1.1.09: 1,210)	15 (14)	101 (91)	– (–)	– (–)	EP RU
SC	USD <sup>9</sup>	–	USD 1,338 (from 1.1.09: 1,210)	15 (14)	– (–)	– (–)	– (–)	EP
SD	SDP	50	SDP eq CHF 1,330	eq CHF 15	–	–	–	EP
SE	SEK	1,200	SEK 7,960	90	600	1,200	1,790	EP SE
SG	SGD	150	SGD 1,708	19	128	–	–	AT AU EP KR
SI	EUR	91	EUR 848	10	64	–	–	EP
SK	SKK	2,000	SKK eq CHF 1,330	eq CHF 15	eq CHF 100	eq CHF 200	eq CHF 300	EP
SM	EUR	50	EUR 848	10	–	–	–	EP
SV	USD	200	USD 1,338 (from 1.1.09: 1,210)	15 (14)	101 (91)	– (–)	– (–)	EP ES
SY	USD <sup>9</sup>	–	USD 1,338 (from 1.1.09: 1,210)	15 (14)	101 (91)	– (–)	– (–)	AT EP RU
TJ	TJS <sup>9</sup>	–	USD 1,338 (from 1.1.09: 1,210)	15 (14)	– (–)	– (–)	– (–)	EP RU
TM	USD <sup>9</sup>	–	USD 1,338 (from 1.1.09: 1,210)	15 (14)	101 (91)	– (–)	– (–)	EP RU
TN	TND <sup>9</sup>	–	CHF 1,330	15	–	–	–	EP
TR	CHF	100	CHF 1,330	15	100	–	–	EP
TT	TTD	750	USD 1,338 (from 1.1.09: 1,210)	15 (14)	101 (91)	– (–)	– (–)	AT EP SE US
UA	UAH	255	USD (or eq UAH) 1,338 (from 1.1.09: 1,210)	15 (14)	– (–)	– (–)	– (–)	EP RU
US	USD	300 (from 12.1.09: 240)	USD 1,338 (from 1.1.09: 1,210)	15 (14)	101 (91)	201 (182)	– (–)	AU EP KR US
UZ	USD <sup>9</sup>	–	USD 1,338 (from 1.1.09: 1,210)	15 (14)	101 (91)	– (–)	– (–)	EP RU
VC	Information not yet available							
VN	VND eq USD	150	VND eq CHF 1,330	eq CHF 15	–	–	–	AT AU EP KR RU SE
ZA	ZAR	500	ZAR 10,030	110	750	–	–	AT AU EP US
ZM	USD	50	USD 1,338 (from 1.1.09: 1,210)	15 (14)	– (–)	– (–)	– (–)	AT SE
ZW	ZWD	6,000	ZWD eq USD 1,338 (from 1.1.09: 1,210)	eq USD 15 (14)	eq USD 101 (91)	– (–)	– (–)	AT AU CN EP RU

[continued on next page]

**Table I(b) — Search fees**

(amounts on 1 December 2008, unless otherwise indicated)

ISA	Search fee <sup>1</sup>							
AT	EUR 200 * (from 1.2.09:	CHF 330 USD 257)	KRW 306,000	SGD 420	USD* 314	ZAR 2,380		
AU	AUD 1,600 USD**** 1,302 * (from 1.1.09: ** (from 15.12.08: *** (from 15.2.09: **** (from 1.2.09:	CHF* 1,594 ZAR* 11,640 CHF 1,425 EUR 919 EUR 855 USD 1,091)	EUR**,** 987	KRW***1,590,000	NZD*** 2,029	SGD*,*** 2,084		
CA	CAD 1,600 * (from 1.2.09:	CHF 1,587 USD 1,309)	EUR 995	USD* 1,597				
CN	CNY 2,100 * (from 1.2.09:	CHF 328 EUR 241)	EUR* 199	USD 280				
EP <sup>18</sup>	EUR 1,700 MWK 344,000 ZAR*, *** 20,650 * (from 1.2.09: ** (from 15.2.09: *** (from 1.1.09:	CHF 2,726 NOK* 13,440 ISK 255,000 JPY 212,600 USD 2,410	DKK 12,670 NZD* 3,395 NOK 14,830 ZAR 19,450)	GBP 1,352 SEK 15,830 NZD 3,652	ISK* 207,000 SGD 3,530 ZAR 21,720)	JPY** 268,800 USD*** 2,665		
ES <sup>18</sup>	EUR 1,700 * (from 1.1.09:	CHF 2,726 USD 2,410)	USD* 2,665					
FI	EUR 1,700 * (from 1.2.09: ** (from 1.1.09:	CHF* 2,726 CHF 2,525) USD 2,410)	USD** 2,665					
JP	JPY 97,000 * (from 1.2.09: ** (from 1.1.09:	CHF* 926 CHF 1,140 KRW 1,331,000)	EUR* 600 EUR 752)	KRW** 924,000	USD 949			
KR	KRW 225,000* * (from 1.1.09:	CHF 226 KRW 900,000 <sup>19</sup> (equivalent amounts in other currencies to follow) KRW 450,000 <sup>20</sup> (equivalent amounts in other currencies to follow)	EUR 148 CHF 735 <sup>19</sup> CHF 367 <sup>20</sup>	NZD 289 EUR 475 <sup>19</sup> EUR 237 <sup>20</sup>	SGD 320	USD 220		
RU <sup>21</sup>	USD 500 * (from 1.2.09:	CHF* 507 CHF 573	EUR* 319 EUR 390)					
SE	SEK 15,830 USD** 2,665 * (from 1.2.09: ** (from 1.1.09:	CHF 2,726 ISK 255,000 USD 2,410)	DKK 12,670 NOK 14,830	EUR 1,700	ISK* 207,000	NOK* 13,440		
US	USD* 1,800 * (from 12.1.09: ** (from 1.1.09: *** (from 15.12.08:	CHF*** 1,789 USD 2,080 (equivalent amounts in other currencies to follow) CHF 1,978 EUR 1,225)	EUR**** 1,154 CHF 2,467 NZD 2,700)	NZD** 2,370 EUR 1,596)	ZAR 14,000			
XN	DKK 12,670 * (from 1.1.09: ** (from 1.2.09:	CHF** 2,726 ISK 207,000 CHF 2,525)	EUR 1,700 USD 2,410 ISK 255,000	ISK*** 192,000 NOK 14,830)	NOK** 13,440	USD* 2,665		

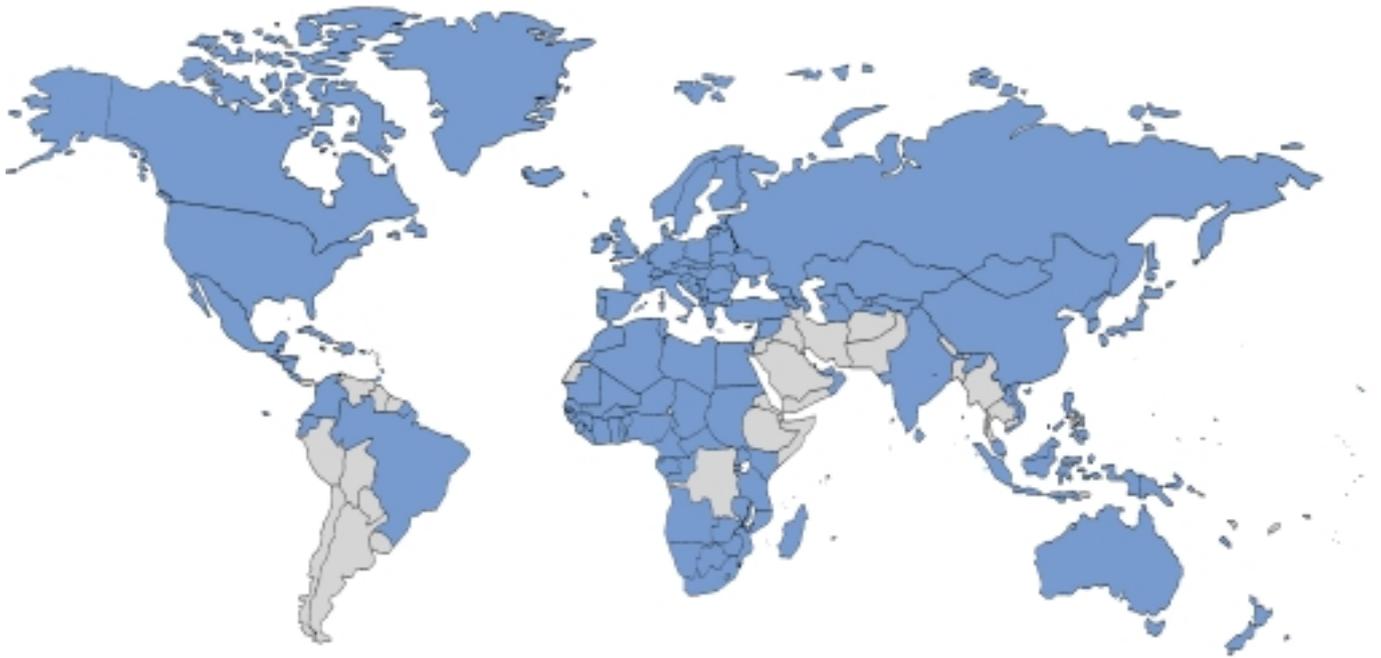
**Table II — Preliminary examination fees**  
(amounts on 1 December 2008, unless otherwise indicated)

IPEA	Preliminary examination fee <sup>22</sup>		Handling fee <sup>2, 22</sup> (CHF 200)
AT	EUR	200	EUR 121
AU	AUD	550 780 <sup>23</sup>	AUD 196
CA	CAD	800	CAD 171
CN	CNY	1,500	CNY eq CHF 200
EP <sup>18</sup>	EUR	1,675	EUR 121
ES	EUR	544.44 (from 1.1.09 : 555.33)	EUR 121
FI	EUR	550	EUR 121
JP	JPY	36,000	JPY 19,600
KR	KRW	225,000 (from 1.1.09 : 450,000)	KRW 157,000
RU <sup>21</sup>	USD	200 <sup>24</sup> 300 <sup>25</sup>	USD 171
SE	SEK	5,000	SEK 1,110
US	USD	600 750 <sup>26</sup>	USD 171
XN	DKK	5,000	DKK 900

Footnotes to fee tables:

- 1 Payable to the receiving Office in the currency or one of the currencies prescribed by it.
- 2 This fee is reduced by 90% where the applicant or, if there are two or more applicants, each applicant fulfills the criteria indicated on the PCT Resources page at: [www.wipo.int/pct/en/fees/fee\\_reduction.pdf](http://www.wipo.int/pct/en/fees/fee_reduction.pdf)
- 3 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*).
- 4 For the search fee payable to the receiving Office, consult the entry in Table I(b) for the competent International Searching Authority.
- 5 If the international application is filed on paper together with a copy in electronic form, in character coded format, of the request and the abstract.
- 6 If the international application is filed in electronic form, the request not being in character coded format.
- 7 If the international application is filed in electronic form, the request being in character coded format.
- 8 If the international application is filed in electronic form, the request, description, claims and abstract being in character coded format.
- 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 on the PCT Resources page at: [www.wipo.int/pct/en/fees/fee\\_reduction.pdf](http://www.wipo.int/pct/en/fees/fee_reduction.pdf)
- 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*, Annex C (IB).
- 14 The Japan Patent Office is competent only for international applications in Japanese.
- 15 Plus EUR 1.50 for the preparation of additional copies, for each page and each copy.
- 16 Plus MYR 45 for each sheet in excess of 30.
- 17 Plus 12.5% GST (Goods and Services Tax) for New Zealand residents.
- 18 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% under certain conditions, in accordance with the decision of the EPO's Administrative Council of 11 October 2000 (OJ EPO 2000, page 446, available at: [www.european-patent-office.org/epo/pubs/oj000/10\\_00/10\\_4460.pdf](http://www.european-patent-office.org/epo/pubs/oj000/10_00/10_4460.pdf)). For a more detailed explanation of those conditions, together with a list of the States whose nationals and residents are entitled to this reduction, see: [www.wipo.int/pct/en/fees/epo\\_fee\\_reduction.html](http://www.wipo.int/pct/en/fees/epo_fee_reduction.html). In the case of international search carried out by the EPO in respect of an international application filed on or after 1 January 2009, and in the case of international preliminary examination carried out by the EPO where the demand was filed on or after that date, see item in *PCT Newsletter* No. 12/2008 entitled "EPO: Change in the Conditions for Entitlement to the 75% Reduction in PCT Search and Preliminary Examination Fees".
- 19 For international applications filed in English.
- 20 For international applications filed in Korean.
- 21 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.
- 22 Payable to the International Preliminary Examining Authority in the currency or one of the currencies prescribed by it.
- 23 Payable when the international search report was not issued by the Australian Patent Office.
- 24 Payable when the international search report was established by the Federal Service for Intellectual Property, Patents and Trademarks (Russian Federation).
- 25 In all cases where footnote 24 does not apply.
- 26 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*, Annex C (US)).

## PCT Contracting States and Two-letter Codes (139 on 1 December 2008)



AE United Arab Emirates	CU Cuba	IN India	ME Montenegro	SG Singapore
AG Antigua and Barbuda	CY Cyprus (EP) <sup>2</sup>	IS Iceland (EP)	MG Madagascar	SI Slovenia (EP) <sup>2</sup>
AL Albania <sup>1</sup>	CZ Czech Republic (EP)	IT Italy (EP) <sup>2</sup>	MK The former Yugoslav Republic of Macedonia <sup>1,4</sup>	SK Slovakia (EP)
AM Armenia (EA)	DE Germany (EP)	JP Japan		SL Sierra Leone (AP)
AO Angola	DK Denmark (EP)	KE Kenya (AP)	ML Mali (OA) <sup>2</sup>	SM San Marino
AT Austria (EP)	DM Dominica	KG Kyrgyzstan (EA)	MN Mongolia	SN Senegal (OA) <sup>2</sup>
AU Australia	DO Dominican Republic	KM Comoros	MR Mauritania (OA) <sup>2</sup>	ST Sao Tome and Principe
AZ Azerbaijan (EA)	DZ Algeria	KN Saint Kitts and Nevis	MT Malta (EP) <sup>2</sup>	SV El Salvador
BA Bosnia and Herzegovina <sup>1</sup>	EC Ecuador	KP Democratic People's Republic of Korea	MW Malawi (AP)	SY Syrian Arab Republic
BB Barbados	EE Estonia (EP)	KR Republic of Korea	MX Mexico	SZ Swaziland (AP) <sup>2</sup>
BE Belgium (EP) <sup>2</sup>	EG Egypt	KZ Kazakhstan (EA)	MY Malaysia	TD Chad (OA) <sup>2</sup>
BF Burkina Faso (OA) <sup>2</sup>	ES Spain (EP)	LA Lao People's Democratic Republic	MZ Mozambique (AP)	TG Togo (OA) <sup>2</sup>
BG Bulgaria (EP)	FI Finland (EP)	LC Saint Lucia	NA Namibia (AP)	TJ Tajikistan (EA)
BH Bahrain	FR France (EP) <sup>2</sup>	LI Liechtenstein (EP)	NE Niger (OA) <sup>2</sup>	TM Turkmenistan (EA)
BJ Benin (OA) <sup>2</sup>	GA Gabon (OA) <sup>2</sup>	LK Sri Lanka	NI Nicaragua	TN Tunisia
BR Brazil	GB United Kingdom (EP)	LR Liberia	NL Netherlands (EP) <sup>2</sup>	TR Turkey (EP)
BW Botswana (AP)	GD Grenada	LS Lesotho (AP)	NO Norway (EP) <sup>3</sup>	TT Trinidad and Tobago
BY Belarus (EA)	GE Georgia	LT Lithuania (EP)	NZ New Zealand	TZ United Republic of Tanzania (AP)
BZ Belize	GH Ghana (AP)	LU Luxembourg (EP)	OM Oman	UA Ukraine
CA Canada	GM Gambia (AP)	LV Latvia (EP) <sup>2</sup>	PG Papua New Guinea	UG Uganda (AP)
CF Central African Republic (OA) <sup>2</sup>	GN Guinea (OA) <sup>2</sup>	LY Libyan Arab Jamahiriya	PH Philippines	US United States of America
CG Congo (OA) <sup>2</sup>	GQ Equatorial Guinea (OA) <sup>2</sup>	MA Morocco	PL Poland (EP)	UZ Uzbekistan
CH Switzerland (EP)	GR Greece (EP) <sup>2</sup>	MC Monaco (EP) <sup>2</sup>	PT Portugal (EP)	VC Saint Vincent and the Grenadines
CI Côte d'Ivoire (OA) <sup>2</sup>	GT Guatemala	MD Republic of Moldova (EA)	RO Romania (EP)	VN Viet Nam
CM Cameroon (OA) <sup>2</sup>	GW Guinea-Bissau (OA) <sup>2</sup>		RS Serbia <sup>1</sup>	ZA South Africa
CN China	HN Honduras		RU Russian Federation (EA)	ZM Zambia (AP)
CO Colombia	HR Croatia (EP) <sup>3</sup>		SC Seychelles	ZW Zimbabwe (AP)
CR Costa Rica	HU Hungary (EP)		SD Sudan (AP)	
	ID Indonesia		SE Sweden (EP)	
	IE Ireland (EP) <sup>2</sup>			
	IL Israel			

1 Extension of European patent possible.

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

3 Only international applications filed on or after 1 January 2008 include the designation of this State for a European patent.

4 International applications filed on or after 1 January 2009 will include the designation of this State for a European patent.

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 July 2008) or, if filing the request using the PCT-EASY features of the PCT-SAFE software, the latest version of that software (which is available at: [www.wipo.int/pct-safe](http://www.wipo.int/pct-safe)). The request and demand forms can be printed from the website, in editable PDF format, at: [www.wipo.int/pct/en/forms/](http://www.wipo.int/pct/en/forms/), or obtained from receiving Offices or the International Bureau, or, in the case of the demand form, also from International Preliminary Examining Authorities.