

PCT NEWSLETTER

PCT Filings in 2009

Provisional data indicate that 155,900 international applications were filed under the PCT in 2009, representing a reduction in filings over 2008 of 4.5%. Although this was the first time since PCT operations began that a decrease in filings has been experienced, it was not as sharp as had been originally anticipated given the global economic downturn, and it was still the third highest yearly total since operations began in 1978. It is important to note that **this and the following figures for 2009 are estimates** as the International Bureau continues to receive, throughout the first half of 2010, PCT applications which were filed with national and regional Offices in 2009, and final figures will only be available later in the year.

The top four countries of filing remained the same as for 2008, with applicants from the United States of America filing the largest number of applications (45,790, which represents 29.4% of all applications), followed by Japan (19.1%), Germany (10.7%) and the Republic of Korea (5.2%), however in 2009 China overtook France to take fifth position with 5.1% of filings. Applicants from the member States of the European Patent Convention, when grouped together, filed 34.6% of all international applications. Although certain industrialized countries experienced a significant decline in growth rates, there was continued growth in filings from East Asian countries, in particular from Japan (with a 3.6% increase) the Republic of Korea (2.1%) and China experienced a significant increase (29.7%). A table showing the number of PCT applications filed by country of origin (that is, by country of residence of the first applicant) has been published in WIPO Press Release PR/2010/632, Annex 1, at:

http://www.wipo.int/pressroom/en/articles/2010/article_0003.html

A second table, in Annex 2, shows the top 15 countries of origin in ranking order, and includes information on share of filings and percentage growth rates.

The top PCT applicant in 2009 was Panasonic Corporation from Japan, with 1,891 PCT applications published. In second place was the Chinese company which had been the top applicant in 2008, Huawei Technologies Co. Ltd, with 1,847, and in third place was the German company Robert Bosch GmbH with 1,586. It is interesting to note that four Japanese companies featured in the top ten filers, which are listed below, together with the number of international applications published in their names:

1.	Panasonic Corporation (JP)	1,891
2.	Huawei Technologies Co., Ltd (CN)	1,847
3.	Robert Bosch GmbH (DE)	1,586
4.	Koninklijke Philips Electronics N.V. (NL)	1,295
5.	Qualcomm Incorporated (US)	1,280
6.	Telefonaktiebolaget LM Ericsson (SE)	1,240
7.	LG Electronics Inc. (KR)	1,090
8.	NEC Corporation (JP)	1,069

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|-----|--------------------------------------|-------|
| 9. | Toyota Jidosha Kabushiki Kaisha (JP) | 1,068 |
| 10. | Sharp Kabushiki Kaisha (JP) | 997 |

A list of the top 100 PCT applicants (with the most applications published in 2009) has been published in Annex 3 of the above-mentioned press release.

As in 2008, the fields of technology in which the highest numbers of PCT applications were published in 2009 related to computer technology (12,560 applications), pharmaceuticals (12,200) and medical technology (12,091). However, despite this, these fields of technology also showed a decline in growth: computer technology (10.6% less than in 2008), pharmaceuticals (8.0% less) and medical technology (5.9% less); there was also a decline in telecommunications (8.5% less) and organic fine chemistry (8.7% less). The largest growth rates were experienced in micro-structural and nano-technology (10.2% more than in 2008), semiconductors (10% more) and thermal processes and apparatus (7.2% more). A table showing the number of PCT applications filed by main field of technology has been published in Annex 4 of the above-mentioned press release.

The publication of the final figures for 2009 later in the year will be announced in the *PCT Newsletter*.

The Trilateral Offices commence PCT-Patent Prosecution Highway Pilot

Further to the information that was published on the cover page of *PCT Newsletter* No. 12/2009 about the Trilateral PCT-Patent Prosecution Highway (PCT-PPH), which fast-tracks patent examination procedures for PCT applications that have received a positive written opinion of either the International Searching Authority or the International Preliminary Examining Authority, or an international preliminary examination report from the European Patent Office (EPO), the Japan Patent Office (JPO) or the United States Patent and Trademark Office (USPTO), it is hereby confirmed that the pilot, which is planned to run for two years, started on 29 January 2010.

For further information on how each Office is implementing the pilot, including information on forms and administrative procedures, see:

European Patent Office:

<http://www.epo.org/patents/law/legal-texts/journal/informationEPO/archive/20100125b.html>

Japan Patent Office:

http://www.jpo.go.jp/cgi/linke.cgi?url=/torikumi_e/t_torikumi_e/patent_highway_e.htm

United States Patent and Trademark Office:

http://www.uspto.gov/patents/init_events/pph/pct_pph_epo.jsp

Further information on the PCT-PPH will be available shortly on the PCT Resources page at:

http://www.wipo.int/pct/en/filing/pct_pph.html

Common Application Format

In addition to the standard format requirements of the PCT, applicants may also prepare applications in accordance with the Common Application Format (CAF) developed by the

Trilateral Offices – the European Patent Office (EPO), the Japan Patent Office (JPO) and the United States Patent and Trademark Office (USPTO).

The Common Application Format streamlines and simplifies direct filings in the Trilateral Offices since applications prepared in accordance with the CAF will not be subject to any additional formality requirements before being processed by the Trilateral Offices.

The CAF is fully compliant with the PCT and provides an additional filing option for applicants.

Additional information on the CAF may be obtained from the Trilateral Cooperation website at:

<http://www.trilateral.net/projects/pct/CAF.html>

An example of the CAF is available at:

http://www.wipo.int/pct/en/filing/caf_example.html

Electronic Filing and Processing of International Applications

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

On 25 January 2010, the Icelandic Patent Office, in its capacity as receiving Office, notified WIPO under PCT Rule 89*bis*.1(d) that it is prepared to receive and process international applications in electronic form with effect from 1 March 2010. The notification containing the Office's requirements and practices with regard to the filing of international applications in electronic form was published on 11 February 2010 in the *Official Notices (PCT Gazette)* at:

http://www.wipo.int/pct/en/official_notices/index.htm

Liberia Joins ARIPO

Liberia deposited its instrument of accession to the African Regional Intellectual Property Organization (ARIPO) on 24 December 2009, and the Harare protocol on Patents and Industrial Designs Within the Framework of the African Regional Intellectual Property Organization will enter into force with respect to Liberia on 24 March 2010, bringing the number of Contracting States of ARIPO to 17, and the number of States party to the Harare Protocol to 16. Therefore, any international application filed on or after 24 March 2010 will include the designation of Liberia for an ARIPO patent, as well as for a national patent (applicants should be aware that, although any international application filed before that date will include the designation of Liberia for a national patent, it will not include the designation of that State for an ARIPO patent).

Furthermore, as from 24 March 2010, it will be possible for nationals and residents of Liberia to file international applications with ARIPO as receiving Office, in addition to the Ministry of Foreign Affairs, Bureau of Archives, Patents, Trade Marks and Copyright (Liberia) or the International Bureau of WIPO.

ARIPO's announcement regarding the accession by Liberia is published at:

http://www.aripo.org/index.php?option=com_content&view=category&layout=blog&id=1&Itemid=18

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

European Patent Convention

Extension of European Patents to Montenegro

Further to the information published in *PCT Newsletter* No. 04/2009 concerning the signature, on 13 February 2009, of an agreement between the European Patent Organisation and the Government of Montenegro on the extension of European Patents to Montenegro, the European Patent Office (EPO) has announced that the agreement will enter into force on 1 March 2010. From that date, it will be possible to extend to Montenegro the protection conferred by European patent applications and patents. The extension procedure is also available, if the necessary requirements are met, via the PCT.

Note that Montenegro is not party to the European Patent Convention (EPC) and cannot be designated for a European patent (EP). The agreement with Montenegro is similar to those in force in respect of Albania, Bosnia and Herzegovina and Serbia.

The extension of a European patent to Montenegro via the PCT route is deemed requested for any PCT application filed on or after 1 March 2010, provided that:

- (i) the designation of Montenegro 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 EPO and pay to the EPO the extension fee (currently EUR 102) for the extension of the European patent to Montenegro. If the 31-month time limit is missed, the extension fee may still be validly paid within a two-month period of grace, provided that within that period a surcharge of 50% is also paid. If the extension fee is not paid in due time, the request for an extension is deemed withdrawn. Further information about the extension of European patent applications and patents to Montenegro will be published in the EPO brochure "National law relating to the EPC", as soon as it is available, at:

<http://www.epo.org/patents/law/legal-texts/national-law-epc.html>

Note that the extension procedure is not available for applications filed prior to 1 March 2010, or for any European patents resulting from such applications. As to the effects of these older applications and patents, please refer to the *Official Journal of the EPO* No. 11/2004, page 563, and the information in the *Official Journal of the EPO* No. 6/2007, page 406, on the effects of Montenegro's declaration of independence of 3 June 2006 on the implementation of the cooperation and extension agreement between the former Federal Republic of Yugoslavia and the European Patent Organisation at, respectively:

http://archive.epo.org/epo/pubs/oj004/11_04/11_5634.pdf and

http://archive.epo.org/epo/pubs/oj007/06_07/06_4067.pdf

Further information on the extension of European patents to Montenegro has been published in the *Official Journal of the EPO* No. 1/2010, page 10, at:

http://archive.epo.org/epo/pubs/oj010/01_10/01_0100.pdf

(Updating of the *PCT Applicant's Guide*, Annexes B1 (ME), B2 (EP), C (EP) and National Chapter, Summary (EP))

Changes to the Publication Schedule

Publication of 15 April 2010

Due to the fact that Friday, 2 April and Monday, 5 April 2010 will be non-working days at WIPO, the completion of technical preparations for the PCT applications to be published on 15 April 2010 (publication No. 15/2010) will take place earlier than usual, on Tuesday, 30 March 2010 (instead of on Wednesday, 31 March 2010, the day on which technical preparations would normally have been completed). This means that any changes which should be taken into account for the purposes of international publication should be received by the International Bureau by midnight, Geneva time, on Monday, 29 March 2010.

Forms from International Bureau to be Printed Recto-Verso

In line with WIPO's aim to reduce the environmental impact of the services that it provides in general, it has been decided that, as from 1 April 2010, all PCT forms sent out by the International Bureau (IB) to PCT Offices and applicants (for example, PCT Forms PCT/IB/301 (Notification of Receipt of Record Copy), 304 (Notification Concerning Submission or Transmittal of Priority Document), 306 (Notification of the Recording of a Change) – see <http://www.wipo.int/pct/en/forms/ib/index.htm> for a full list of the forms sent out by the IB) will be printed on both sides of the page. This will considerably reduce the quantity of paper used for mailing such forms (at the moment, approximately 40,000 sheets per week are mailed by the IB).

Furthermore, the IB forms may also be received electronically in the following ways:

For Offices, via the Internet: those Offices which are interested in receiving the forms via a secure Internet connection should contact either Ms. Viviane Gross (viviane.gross@wipo.int) or Ms. Nathalie Beard (nathalie.beard@wipo.int).

For applicants, by e-mail: it is recalled that it is now also possible to request, by indicating in Boxes II and IV of the request form (PCT/RO/101), that the IB (as well as the receiving Office and the International Searching and Preliminary Examining Authority, if those offices are willing to do so) send copies of notifications by e-mail only and no longer also in paper form. However, it is recommended that the option to request notifications “exclusively in electronic form (no paper notifications will be sent)” be used only once applicants have successfully received advance copies of notifications by e-mail from the IB and are satisfied with the electronic delivery to their given e-mail address, as validated by the subsequent receipt of the paper copy (for further information, see *PCT Newsletter* No. 01/2010, page 6).

PCT Information Update

AT Austrian Patent Office (requirements concerning agent; fees)

In relation to the information concerning how to obtain a list of those persons who can act as agent before the Austrian Patent Office as receiving Office and as designated (or elected) Office, there has been a change in the Internet address of the Patentanwaltskammer, as follows:

<http://www.patentanwalt.at>

The amount of the following national fees, payable to the Office as designated (or elected) Office, have changed with effect from 1 January 2010:

For patent:

Fee for entry into national phase.....	EUR	50
Search and examination fee, including 10 claims	EUR	180
Claims fee from the 11 th claim, for each group of 10 claims.....	EUR	100

For utility model:

Fee for entry into national phase.....	EUR	50
Search fee, including 10 claims.....	EUR	50
Claims fee from the 11 th claim, for each group of 10 claims.....	EUR	100

There have also been changes in the exemptions, reductions or refunds of the national fee, as follows:

No fee for entry into the national phase is payable if the international application was filed with the Austrian Patent Office as receiving Office.

(Updating of *PCT Applicant's Guide*, Annex C (AT) and National Chapter, Summary (AT))

CR Costa Rica (fees)

The Registry of Industrial Property (Costa Rica) has notified a reduction of 70% in the national filing fee for a patent, payable to it as designated (or elected) Office, where the application is filed by an inventor who is a natural person, by a small or medium-sized enterprise, by a public academic institution or by a public sector scientific and technological research institute. This reduction has been applicable since 25 April 2008.

(Updating of *PCT Applicant's Guide*, National Chapter, Summary (CR))

CN China (institutions with which deposits of microorganisms and other biological material may be made)

The address of the China General Microbiological Culture Collection Center (CGMCC), an international depositary authority under the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure, has changed, as follows:

China General Microbiological Culture Collection Center (CGMCC)
Institute of Microbiology, Chinese Academy of Sciences
No. 1 West Beichen Road
Chaoyang District
Beijing 100 101
China

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

EG Egypt (extension of time limit for entry into national phase)

It is recalled that the time limit under PCT Articles 22 and 39(1) for entry into the national phase before the Egyptian Patent Office is, in both cases, 30 months from the priority date. The Egyptian Patent Office has notified the International Bureau that, with effect from 1 February 2010, international applications entering the national phase within three months after the expiration of 30 months from the priority date will be accepted, subject to the payment of a late filing fee, to be determined in accordance with the applicable schedule below.

If entry into the national phase takes place between:

30 and 31 months from the priority date:1,500 Egyptian pounds

31 and 32 months from the priority date:3,000 Egyptian pounds

32 and 33 months from the priority date:4,500 Egyptian pounds

(Updating of *PCT Applicant's Guide*, National Chapter, Summary (EG))

EP European Patent Office (fees)

As from 1 April 2010, there will be a change in the amount of the transmittal fee, payable to the European Patent Office (EPO) as receiving Office, as indicated in PCT Fee Table I(a), as well as a change in the following fees:

Fee for priority document:..... EUR 45

Fee for requesting the restoration of the right of priority: EUR 580

As from 1 April 2010, there will be a change in the amounts of the following national fees, payable to the EPO as designated (or elected) Office:

Filing fee:

- where the form for entry into the European phase
(EPO Form 1200) is filed online: EUR 105

- where the form for entry into the European phase
(EPO Form 1200) is not filed online: EUR 190

Additional fee for pages in excess of 35:
for the 36th and each subsequent page EUR 13

Designation fee for one or more EPO Contracting States
designated: EUR 525

Extension fee for each extension State (extension of the
European patent to Albania, Bosnia and Herzegovina,
Montenegro¹ or Serbia): [no change]

¹ For international applications filed on or after 1 March 2010.

Claims fee:

- for the 16 th and each subsequent claim up to the limit of 50:.....	EUR	210
- for the 51 st and each subsequent claim:	EUR	525

Search fee:

- for (international) applications filed before 1 July 2005:.....	EUR	800
- for (international) applications filed on or after 1 July 2005:.....	EUR	1,105

Fee for further processing:

- in the event of late payment of a fee:	[no change]	
- other cases:	EUR	225

Fee for late furnishing of a sequence listing:	EUR	210
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Examination fee:

- for (international) applications filed before 1 July 2005:	EUR	1,645
- for (international) applications filed on or after 1 July 2005 for which no supplementary European search report is drawn up:.....	EUR	1,645
- for all other (international) applications filed on or after 1 July 2005:.....	EUR	1,480

Renewal fee for the third year:	EUR	420
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As from 1 April 2010, there will also be a change in the amount of the reduction in the search fee payable in the following situation (other reductions not indicated will not change):

The search fee is reduced by EUR 940² for international applications filed on or after 1 July 2005 for which the international search report has been established by the Austrian Patent Office, or in accordance with the Protocol on centralization by the National Board of Patents and Registration of Finland, the Nordic Patent Institute, the Spanish Patent and Trademark Office or the Swedish Patent and Registration Office.

(Updating of *PCT Applicant's Guide*, Annex C (EP), National Chapter, Summary (EP))

GB United Kingdom (fees)

As from 1 April 2010, there will be a change in the amount of the transmittal fee, payable to the United Kingdom Intellectual Property Office (an operating name of the Patent Office) as receiving Office, as indicated in PCT Fee Table I(a). The Office has also notified the fee for requesting the restoration of the right of priority, as follows:

² This amount is applicable to international applications filed up to and including 30 June 2013, where the fee for the supplementary European search is paid on or after 1 April 2010 (see *OJ EPO* 12/2009, pages 587 *et seq.*)

Fee for requesting the restoration of the right of priority: GBP 150

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

PH Philippines (fees)

The Intellectual Property Office (Philippines) has notified a change in the definition of a small entity to which the reduced amounts of the national filing fee for a patent and for a utility model are applicable (which appears in footnote 5 of the Summary of the Philippine National Chapter in the *PCT Applicant's Guide*), as follows:

A small entity is any natural or legal person whose assets are worth 100,000,000 Philippine pesos (PHP) or less; or any entity, agency, office, bureau or unit of the Philippine government, including government-owned or controlled corporations, State universities and colleges and government-owned or government-run schools.

(Updating of *PCT Applicant's Guide*, National Chapter, Summary (PH))

PT Portugal (special requirements for entry into the national phase)

There has been a change in the special requirement under PCT Rule 51 *bis* of the National Institute of Industrial Property (Portugal) as designated (or elected) Office concerning the appointment of an agent if the applicant is not resident in Portugal: a footnote has been added to clarify that the appointment of an agent is not necessary if an e-mail address or fax number is furnished.

(Updating of *PCT Applicant's Guide*, National Chapter, Summary (PT))

Search fee and fees relating to the international search (Austrian Patent Office, European Patent Office)

Further to the information published in *PCT Newsletter* No. 01/2010, the equivalent amount of the search fee for a search carried out by the Austrian Patent Office has been established in KRW and is published in PCT Fee Table I(b). Furthermore, the Austrian Patent Office has notified its criteria for entitlement to the 75% reduction in the search fee, as follows:

The search fee is reduced by 75% where the applicant or, if there are two or more applicants, each applicant is a natural person and is a national of and resides in a State for which the Austrian Patent Office is an International Searching Authority.

The Office has changed one of the conditions for refund of the search fee, as follows (the other conditions not indicated have not changed):

Where the search fee has not been reduced³ and where the Authority benefits from an earlier search, the search fee shall, upon request, be refunded, depending upon the extent to which the Authority benefits from the earlier search:

where the earlier search was made by the Authority: refund of 75%

³ This fee is reduced by 75% where the applicant, or, if there are two or more applicants, each applicant is a natural person and is a national of and resides in a State for which the Austrian Patent Office is an International Searching Authority.

where the earlier search was made by another International Searching Authority:
refund of 50%

where the earlier search was made by another Patent Office: refund of 25%

As from 1 April 2010, there will be a change in the amount payable in EUR for an international search carried out by the European Patent Office, as indicated in Fee Table I(b). The equivalent amounts in other currencies are not yet known, but will be notified as soon as possible. There will also be a change in the amounts of the following fees payable to that Office:

Fee for copies of documents cited in the international search report, per page:	EUR	0.75
Protest fee:		
For international applications still pending on 13 December 2007:.....	EUR	1,180
For international applications filed on or after 13 December 2007:.....	EUR	790
Late furnishing fee:	EUR	210

(Updating of *PCT Applicant's Guide*, Annex D (AT and EP))

Preliminary examination fee and fees relating to international preliminary examination (Austrian Patent Office, European Patent Office)

The Austrian Patent Office has notified its criteria for entitlement to the 75% reduction in the preliminary examination fee, as follows:

The preliminary examination fee is reduced by 75% where the applicant or, if there are two or more applicants, each applicant is a natural person and is a national of and resides in a State for which the Austrian Patent Office is an International Preliminary Examining Authority.

As from 1 April 2010, there will be a change in the preliminary examination fee payable to the European Patent Office, as indicated in Fee Table II. There will also be a change in the amounts of the following fees payable to that Office:

Fee for copies of documents cited in the international preliminary examination report, for elected Offices:.....	EUR	0.75
Fee for copies of documents contained in the file of the international application, per A4 page or smaller (delivery charge should be added if the copies are to be sent by air mail):	EUR	0.75
Protest fee:		
For international applications still pending on 13 December 2007:.....	EUR	1,180
For international applications filed on or after 13 December 2007:.....	EUR	790

Late furnishing fee: EUR 210

(Updating of *PCT Applicant's Guide*, Annex E (AT and EP))

Search fee, preliminary examination fee, and other fees relating to international search and preliminary examination (National Institute of Industrial Property (Brazil))

Further to the information published in *PCT Newsletter* No. 07-08/2009 regarding the criteria applicable for entitlement to the 60% reduction in the search fee, the additional search fee, the fee for copies of documents cited in the international search report, the preliminary examination fee, the additional preliminary examination fee, the fee for copies of documents cited in the international preliminary examination report and the fee for copies of documents contained in the file of the international application, please note that in addition to natural persons, small or medium enterprises or academic institutions, the reduction is also applicable in respect of cooperatives, non-profit-making entities or public institutions (see footnote 1 of Annexes D (BR) and E (BR) to the *PCT Applicant's Guide*).

United States Patent and Trademark Office: Not Open for Business from 8 to 11 February 2010

The United States Patent and Trademark Office has informed the International Bureau under PCT Rule 80.5 that, due to weather conditions, it was not open to the public for the purposes of the transaction of official business from Monday, 8 February to Thursday, 11 February 2010, inclusive.

Consequently, pursuant to PCT Rule 80.5, if the expiration of any period during which any document or fee in connection with an international application was required to reach that Office fell on any of those days, that period was extended so as to expire on the next working day, which was Friday, 12 February 2010.

For further information on the consequences of the closure on patent-related matters, see the notice on the USPTO website at:

http://www.uspto.gov/news/index_emergency.jsp

It is recalled that the International Bureau has published the closed dates in 2010 for a number of industrial property Offices. The full collection, which includes all years back to 2005, may be consulted at:

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

PCT Update Webinars

WIPO will broadcast a new series of PCT update webinars (live presentations via the Internet) over the next few weeks in several languages. The first one will be in English and will take place on Tuesday, 23 February 2010, from 4.00 pm to 5.00 pm, central European time. It is recalled that there is no charge for PCT webinars, and that registration is simple. Once the details about future PCT webinars have been confirmed they will be included in the PCT seminar calendar. Further information on this and the other webinars that are going to take place is available at:

<http://www.wipo.int/pct/en/seminar/webinars.html>

New/Updated PCT Resources on the Internet (www.wipo.int/pct/en)

Request form

The January 2010 version of the request form is now available in editable PDF format in German and Spanish, as well as in English and French.

Further to the information published in *PCT Newsletter* No. 02/2009, two additional continuation sheets have been added for the German and Spanish versions of the request form (PCT/RO/101), in addition to the English and French versions, for applicants who use the editable PDF versions of this form and have difficulties where there are more than 6 applicants. The forms and additional continuation sheets can be found at, respectively:

<http://www.wipo.int/pct/en/forms/ro/index.htm>

<http://www.wipo.int/pct/fr/forms/ro/index.htm>

<http://www.wipo.int/pct/de/forms/ro/index.htm>

<http://www.wipo.int/pct/es/forms/ro/index.htm>

PCT Receiving Office Guidelines in Spanish

The July 2009 version of the PCT Receiving Office Guidelines (RO/GL/RO/8) is now available in Spanish, in PDF format, at:

<http://www.wipo.int/pct/es/texts/gdlines.htm>

Administrative Instructions in Spanish

The consolidated version of the Administrative Instructions under the PCT, as in force from 1 January 2010, is now available in Spanish, in PDF format, at:

<http://www.wipo.int/pct/es/texts/pdf/ai.pdf>

Warning About Requests for Payment of Fees (Reminder)

Further to the many warnings that have been published in the *PCT Newsletter* about invitations to PCT applicants and agents to pay fees that do not come from the International Bureau of WIPO and are unrelated to the processing of international applications under the PCT, a modified invitation has been identified originating from “IBIP – International Bureau for Intellectual Property”. To view an example of the invitation, as well as the many other examples which have been brought to the attention of WIPO by PCT users, and for further information on such requests in general, see:

http://www.wipo.int/pct/en/warning/pct_warning.htm

PCT applicants and agents should note that it is the International Bureau of WIPO alone which publishes all PCT applications promptly after the expiration of 18 months from the priority date (see PCT Article 21(2)(a)); there is no separate fee for such international publication, and the legal effects of international publication are set out in PCT Article 29.

If they have not already done so, PCT applicants and agents are advised to bring this information to the attention of the people responsible for handling payments of fees within their organizations, as well as to the attention of applicants and inventors who might also receive

such requests. In case of doubt in relation to any such invitation, please do not hesitate to contact the International Bureau:

Telephone: +41 22 338 83 38

Fax: +41 22 338 83 39

E-mail: pct.infoline@wipo.int

Practical Advice

Adding a priority claim which extends the period between the earliest priority date and the international filing date to over 12 months

Q: I filed an international application on 25 January 2010, claiming the priority of an earlier national application filed on 11 May 2009. I have now realized that I omitted to claim the priority of an application I filed earlier than the date of the other claim, on 5 January 2009. Is it possible to add that priority claim under PCT Rule 26bis.1, even though the period between the filing date of that earlier application and the international filing date exceeds 12 months?

A: You are permitted under PCT Rule 26bis.1 to add a priority claim within a specified time limit (see below), even if the resulting new priority date would not fall within the 12-month priority period (that is, it would be more than 12 months prior to the international filing date), provided that the time limit of 14 months from the (earliest) priority date has not expired. In such a case, your new priority claim would remain in the application during the international phase, and all time limits which had not already expired would be calculated on the basis of that earlier priority claim. However, whether that priority claim would be recognized by the designated/elected Offices (hereinafter: “designated Offices”) in the national/regional phase would depend on your making a request for restoration of the right of priority, and how successful that request ultimately would be before those Offices.

Before you take any action to request the restoration of the right of priority (or at least at the same time as requesting the restoration of the right of priority), you must submit a notice under PCT Rule 26bis.1 requesting the addition of the missing priority claim. In general, the time limit for submission of the notice is whichever of the following time limits expires later:

- (a) four months from the international filing date; or
- (b) 16 months from the priority date, or, where the addition of the missing priority date would cause a change in the priority date, 16 months from the priority date as so changed (whichever expires first).

In your case, the time limit under (a) (25 May 2010) expires later than the time limit under (b) (5 May 2010) therefore you would normally have until 25 May 2010 to add the missing claim. However, it is important to note that if you are going to request the restoration of the right of priority before the receiving Office in the international phase, such a request must be filed within two months from the date on which the priority period will expire, which in your case, is by 5 March 2010. Since you need to add the priority claim before, or at the same time as, you request the restoration of the right of priority, it is recommended that you request the addition of the priority claim as soon as possible, and in any case, before 5 March 2010 (see PCT Rules 26bis.3(c) and (e)). It is recalled that the PCT Time Limit Calculator can be very useful when calculating time limits under the PCT. It is available at:

<http://www.wipo.int/pct/en/calculator/pct-calculator.html>

Note that, as well as adding a priority claim, PCT Rule 26*bis*.1 can also be used to correct a priority claim, or to add any missing indication in a priority claim, for example, the date on which the earlier application was filed, the number of the earlier application or the country in which, or the Office with which, the earlier application was filed. For further information on adding or correcting priority claims under PCT Rule 26*bis*.1, see the “Practical Advice” in *PCT Newsletter* No. 09/1998, and the *PCT Applicant’s Guide*, paragraphs 6.038 to 6.040 at, respectively:

http://www.wipo.int/edocs/pctndocs/en/1998/pct_news_1998_9.pdf

http://www.wipo.int/pct/en/guide/ip06.html#_chapt6

As far as requesting the restoration of the right of priority is concerned, it is important to note that you may do this either during the international phase under PCT Rule 26*bis*.3 (“Restoration of Right of Priority by Receiving Office”) before the receiving Office within the above-mentioned two-month time limit, provided your receiving Office will accept requests for restoration of the right of priority, or you may request restoration in the national phase under PCT Rule 49*ter*.2 (“Restoration of Right of Priority by Designated Office”) directly with designated Offices which accept such requests. As this is a complex subject, reference is made to the detailed explanations that were given in the “Practical Advice” published in *PCT Newsletter* Nos. 04/2007, 09/2009 and 10/2009 at, respectively:

http://www.wipo.int/edocs/pctndocs/en/2007/pct_news_2007_4.pdf

http://www.wipo.int/edocs/pctndocs/en/2009/pct_news_2009_09.pdf

http://www.wipo.int/edocs/pctndocs/en/2009/pct_news_2009_10.pdf

as well as to the *PCT Applicant’s Guide*, paragraphs 5.062 to 5.069, at:

http://www.wipo.int/pct/en/guide/ip05.html#_boxVI

PCT Seminar Calendar			
(http://www.wipo.int/pct/en/seminar/seminar.pdf)			
(situation on 1 February 2010)			
Dates and location	Language of seminar	Nature of seminar; WIPO speakers (and others where known)	Organizer and contact numbers
3 February 2010 Ecully (FR)	French	PCT seminar WIPO speaker: Ms. Coeckelbergs	Centre Paul Roubier Tel: (33-4) 78 33 07 08 Fax: (33-4) 78 33 58 96
8–9 February 2010 Dallas (US)	English	Basic PCT seminar WIPO speakers: Mr. Reed and Ms. Bidwell	KIP Connections, LLC (Ms. Suzanne Kiefer) Tel: (1–214) 683-5662 Fax: (1–214) 853-5237 E-mail: skiefer@kipconnections.com
10 February 2010 Dallas (US)	English	Advanced PCT seminar WIPO speakers: Mr. Reed and Ms. Bidwell	KIP Connections, LLC (Ms. Suzanne Kiefer) Tel: (1–214) 683-5662 Fax: (1–214) 853-5237 E-mail: skiefer@kipconnections.com
18–19 February 2010 Munich (DE)	German	Basic PCT seminar WIPO speakers: Ms. Coeckelbergs and Ms. Weiss	Forum Institut für Management GmbH Tel: (49-6221) 500 500 Fax: (49-6221) 500 505 E-mail: a.kapeller@forum-institut.de
25 February 2010 Atlanta (US)	English	Advanced seminar on the PCT WIPO speakers: Mr. Reed and Mrs. Bidwell	State Bar of Georgia Intellectual Property Law Section Contact: Institute of Continuing Legal Education (ICLE) in Georgia E-mail: icle@iclega.org Internet: www.iclega.org/schedule.html
4–5 March 2010 San Francisco (US)	English	Basic PCT seminar WIPO speakers: Mr. Reischle and Mrs. Bidwell	Intellectual Property International (Ms. Virginia H. Meyer) Tel: (1-415) 381 26 15 Fax: (1-415) 389 89 38 E-mail: info@ipiseminars.com Internet: www.ipiseminars.com
8–9 March 2010 Chicago (US)	English	Basic PCT training WIPO speakers: Mr. Reischle and Mrs. Bidwell	The John Marshall Law School Department of Event Management Tel: (1-312) 987 14 20 Fax: (1-312) 427 71 28 E-mail: Events@jmls.edu
19–20 April 2010 Houston (US)	English	PCT comprehensive seminar WIPO speakers: Mrs. Bidwell and Mr. Reed	PCT Learning Center (Ms. Frimmel Smith) Tel: (1-571) 212 38 68 Fax: (1-703) 636 89 74 E-mail: contact@pctlearningcenter.org Internet: www.pctlearningcenter.org
23–24 April 2010 Concord, New Hampshire (US)	English	Seminar on the PCT 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

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PCT Seminar Calendar [continued]

(situation on 1 February 2010)

Dates and location	Language of seminar	Nature of seminar; WIPO speakers (and others where known)	Organizer and contact numbers
29–30 April 2010 London (GB)	English	Basic PCT formalities seminar WIPO speakers: Mrs. Coeckelbergs and Ms. Bisi-Kurkdjian	Management Forum Ltd Tel: (44-1483) 57 00 99 Fax: (44-1483) 53 64 24 E-mail: josephine.leak@management-forum.co.uk
19–20 May 2010 Munich (DE)	German	Advanced PCT seminar WIPO speaker: Mr. Reischle 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
28 May 2010 Paris (FR)	French	PCT seminar WIPO speaker: Ms. Bonvallet	Fédération Nationale pour le Droit de l'Entreprise (FNDE) (Mrs. Heuzé) Tel: (33–1) 42 66 18 19 Fax: (33–1) 42 66 17 37 E-mail: pheuze@fnde.asso.fr
8 October 2010 London (GB)	English	PCT presentation in the framework of the 9th Annual Conference for Senior Patent Administrators WIPO speaker: to be announced	Management Forum Ltd Tel: (44-1483) 73 00 71 Fax: (44-1483) 73 00 08 E-mail: josephine.leak@management-forum.co.uk
10 December 2010 London (GB)	English	PCT update seminar WIPO speaker: to be announced	Management Forum Ltd Tel: (44-1483) 73 00 71 Fax: (44-1483) 73 00 08 E-mail: josephine.leak@management-forum.co.uk

PCT Webinars<http://www.wipo.int/pct/en/seminar/webinars.html>

Date and time	Language of webinar	Nature of webinar; WIPO speakers	Registration
23 February 2010 4.00 to 5.00 pm central European time	English	WIPO webinar on the latest PCT developments and initiatives to enhance services to the PCT user community WIPO speaker: Mr. Sim	https://www2.gotomeeting.com/register/782226355

PCT Fee Tables

(amounts on 1 February 2010, 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 4(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 13. (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 –	BHD	Bahraini dinar	GHS	Ghanaian cedi	LYD	Libyan dinar	SGD	Singapore dollar
IPEA	International Preliminary Examining Authority	BRL	Brazilian real	GTQ	Quetzal	MAD	Moroccan dirham	SKK	Slovak koruna
ISA	International Searching Authority	BYR	Belarussian rouble	HRK	Croatian kuna	MKD	Macedonian denar	THB	Baht
RO	receiving Office	BZD	Belize dollar	HUF	Hungarian forint	MWK	Malawian kwacha	TJS	Tajik somoni
		CAD	Canadian dollar	IDR	Indonesian rupiah	MXN	Mexican peso	TND	Tunisian dinar
		CHF	Swiss franc	ILS	New Israeli sheqel	MYR	Malaysian ringgit	TTD	Trinidad and Tobago dollar
		CLP	Chilean peso	INR	Indian rupee	NOK	Norwegian krone		
		CNY	Yuan renminbi	ISK	Icelandic krona	NZD	New Zealand dollar	UAH	Ukrainian hryvnia
		COP	Colombian peso	JPY	Japanese yen	PEN	Nuevo sol	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	PLN	Polish zloty	ZAR	South African rand
AUD	Australian dollar	DZD	Algerian dinar	KRW	KR won	RON	New leu	ZWD	Zimbabwe dollar
AZN	Azerbaijani manat	EEK	Estonian kroon	KZT	Kazakh tenge	RSD	Serbian dinar		
BAM	Convertible mark	EUR	Euro	LSL	Lesotho loti	RUB	Russian rouble		
BGN	Bulgarian lev	GBP	Pound sterling	LTL	Lithuanian litas	SDG	Sudanese pound		
		GEL	Georgian lari	LVL	Latvian lat	SEK	Swedish krona		

Table I(a) — Transmittal and international filing fees

(amounts on 1 February 2010, unless otherwise indicated)

RO	Transmittal fee ¹		International filing fee ^{1, 2} (CHF 1,330)		Fee per sheet ^{1, 2, 3} (CHF 15)	E-filing reductions according to Schedule of Fees:			Competent ISA(s) ⁴
						Items 4(a) ⁵ and (b) ⁶ (CHF 100)	Item 4(c) ⁷ (CHF 200)	Item 4(d) ⁸ (CHF 300)	
AG	Information not yet available								
AL	ALL	9,000	CHF	1,330	15	–	–	–	EP
AM	AMD	32,000	USD	1,300	15	98	–	–	EP RU
AP	USD	50 (or eq in local currency)	USD	1,300	15	98	–	–	AT EP SE
AT	EUR	50	EUR	878	10	66	–	–	EP
AU	AUD	150	AUD	1,489	17	112	224	336	AU KR
AZ	AZN	55,000	USD	1,300	15	–	–	–	EP RU
BA	BAM	50	EUR	878	10	66	–	–	EP
BE	EUR	40	EUR	878	10	66	–	–	EP
BG	BGN	80	BGN eq CHF	1,330	eq CHF 15	eq CHF 100	–	–	EP RU
BH	BHD	70	USD	1,300	15	–	–	–	AT EP US
BR	BRL	305	BRL eq CHF	1,330	eq CHF 15	eq CHF 100	–	–	AT BR EP SE US
BW	USD ⁹	–	USD	1,300	15	98	–	–	EP
BY	BYR eq USD	70	USD	1,300	15	–	–	–	EP RU
BZ	BZD	300	USD	1,300	15	98	–	–	CA EP
CA	CAD	300	CAD	1,388	16	104	209	313	CA
CH	CHF	100	CHF	1,330	15	100	–	–	EP
CL	CLP eq USD ¹⁰	350	CLP eq USD ¹⁰	1,300	eq USD ¹⁰ 15	eq USD ¹⁰ 98	–	–	EP ES US
CN	CNY	500	CNY eq CHF	1,330	eq CHF 15	eq CHF 100	eq CHF 200	eq CHF 300	CN
CO	COP ⁹	–	COP eq USD	1,300	eq USD 15	eq USD 98	–	–	AT, EP, ES, RU

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

(amounts on 1 February 2010, unless otherwise indicated)

RO	Transmittal fee ¹		International filing fee ^{1,2}		Fee per sheet over 30 ^{1,2,3}	E-filing reductions according to Schedule of Fees:			Competent ISA(s) ⁴
						Items 4(a) ⁵ and (b) ⁶	Item 4(c) ⁷	Item 4(d) ⁸	
CR	USD	250	USD	1,300	15	98	–	–	EP ES
CU	CUC	200	CUC	1,300	15	98	–	–	AT EP ES RU
CY	EUR	128.15	EUR	878	10	–	–	–	EP
CZ	CZK	1,500	EUR	878	10	66	–	–	EP
DE	EUR	90	EUR	878	10	66	132	198	EP
DK	DKK	1,500	DKK	6,540	70	490	980	1,470	EP SE XN
DM	Information not yet available								
DO	USD	275	USD	1,300	15	98	–	–	EP ES US
DZ	DZD	None	CHF	1,330	15	100	–	–	AT EP
EA	RUB	1,600	USD	1,300	15	98	–	–	EP RU
EC	USD ⁹	–	USD	1,300	15	98	–	–	EP ES
EE	EEK	1,800	CHF	1,330	15	100	–	–	EP
EG	USD	142	USD	1,300	15	98	–	–	AT EP US
EP	EUR	110 (from 1.4.10: 115)	EUR	878	10	–	132	198	EP
ES	EUR	71.35	EUR	878	10	66	132	198	EP ES
FI	EUR	135	EUR	878	10	–	132	198	EP FI SE
FR	EUR	60	EUR	878	10	66	132	198	EP
GB	GBP	55 (from 1.4.10: 75)	GBP	794	9	–	119	179	EP
GD	Information not yet available								
GE	GEL ¹¹	10	USD	1,300	15	98	–	–	EP RU
GH	GHS ¹²	2,500 or 5,000	USD	1,300	15)	–	–	–	AT AU CN EP SE
GR	EUR	115	EUR	878	10	66	–	–	EP
GT	GTQ eq USD	250	USD	1,300	15	98	–	–	AT EP ES US
HN	Information not yet available								
HR	HRK	200	HRK eq CHF	1,330	eq CHF 15	eq CHF 100	–	–	EP
HU	HUF	10,700	HUF eq CHF	1,330	eq CHF 15	eq CHF 100	–	–	EP RU
IB	CHF ¹³	100	CHF	1,330	15	100	200	300	See footnote 14
	or EUR ¹³	66	or EUR	878	10	66	132	198	
	or USD ¹³	98	or USD	1,300	15	98	195	293	
ID	IDR	1,000,000	IDR eq CHF	1,330	eq CHF 15	eq CHF 100	–	–	AU EP KR RU
IE	EUR	76	EUR	878	10	66	–	–	EP
IL	ILS	532	USD	1,300	15	98	–	–	EP US
IN	INR	8,000 (filing by indiv: 2,000)	USD	1,300	15	98	–	–	AT AU CN EP SE US
IS	ISK	7,700	ISK	160,100	1,800	12,000	–	–	EP SE XN
IT	EUR	30.99	EUR	878	10	–	–	–	EP
JP	JPY	13,000	JPY	118,400	1,300	8,900	–	26,700	EP JP
KE	USD 250 (or KES equiv) plus cost of mailing		USD	1,300	15	98	–	–	AT AU CN EP SE

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

(amounts on 1 February 2010, unless otherwise indicated)

RO	Transmittal fee ¹	International filing fee ^{1,2}	Fee per sheet over 30 ^{1,2,3}	E-filing reductions according to Schedule of Fees:			Competent ISA(s) ⁴
				Items 4(a) ⁵ and (b) ⁶	Item 4(c) ⁷	Item 4(d) ⁸	
KG	KGS eq USD 100	USD 1,300	15	98	–	–	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 1,567,000	18,000	118,000	–	353,000	AT AU JP ¹⁵ KR
KZ	KZT 7,360 ¹⁶	USD 1,300	15	98	–	–	EP RU
LR	USD 45	USD 1,300	15	–	–	–	AT AU CN EP SE
LS	LSL ⁹ –	LSL eq CHF 1,330	eq CHF 15	–	–	–	AT EP
LT	LTL 320	EUR 878	10	66	–	–	EP RU
LU	EUR 19	EUR 878	10	–	–	–	EP
LV	LVL 48.40	EUR 878	10	66	–	–	EP RU
LY	LYD ⁹ –	CHF 1,330	15	100	–	–	AT EP
MA	None	CHF 1,330	15	–	–	–	AT EP RU SE
MC	EUR 54 ¹⁷	EUR 878	10	–	–	–	EP
MD	EUR 100	USD 1,300	15	98	–	–	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 878	10	66	–	–	EP
MW	MWK 6,000	MWK 181,900	2,100	13,700	–	–	EP
MX	MXN eq USD 323.70	MXN eq CHF 1,330	eq CHF 15	eq CHF 100	–	–	EP ES SE US
MY	MYR 375 ¹⁸	MYR eq CHF 1,330	eq CHF 15	–	eq CHF 200	eq CHF 300	AU EP KR
NI	USD 200	USD 1,300	15	98	–	–	EP ES
NL	EUR 50	EUR 878	10	66	132	198	EP
NO	NOK 550	NOK 7,580	90	570	–	–	EP SE XN
NZ	NZD 180 ¹⁹	NZD 1,802	20	135	–	–	AU EP KR US
OA	XAF ⁹ –	XAF eq CHF 1,330	eq CHF 15	–	–	–	AT EP RU SE
PE	PEN ⁹ –	PEN eq USD 1,300	eq USD 15	eq USD 98	–	–	AT EP ES US
PG	PGK 250	USD 1,300	15	98	–	–	AU
PH	PHP 3,500	USD 1,300	15	98	195	293	AU EP JP KR US
PL	PLN 300	PLN eq CHF 1,330	eq CHF 15	–	eq CHF 200	eq CHF 300	EP
PT	EUR 20	EUR 878	10	66	–	–	EP
RO	RON 300,000	CHF 1,330	15	100	200	300	EP RU
RS	RSD 5,000	RSD eq CHF 1,330	eq CHF 15	eq CHF 100	–	–	EP
RU	RUB 600	USD 1,300	15	98	–	–	EP RU
SC	USD ⁹ –	USD 1,300	15	–	–	–	EP
SD	SDG 50	SDG eq CHF 1,330	eq CHF 15	–	–	–	EP
SE	SEK 1,200	SEK 8,840	100	660	1,330	1,990	EP SE
SG	SGD 150	SGD 1,835	21	138	–	–	AT AU EP KR
SI	EUR 91	EUR 878	10	66	–	–	EP
SK	EUR 66	EUR 878	10	66	132	198	EP
SM	EUR 50	EUR 878	10	–	–	–	EP
SV	USD 200	USD 1,300	15	98	–	–	EP ES
SY	USD ⁹ –	USD 1,300	15	98	–	–	AT EP RU
TH	THB 3,000	THB eq CHF 1,330	eq CHF 15	eq CHF 100	–	–	CN EP US
TJ	TJS ⁹ –	USD 1,300	15	–	–	–	EP RU

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

(amounts on 1 February 2010, unless otherwise indicated)

RO	Transmittal fee ¹	International filing fee ^{1,2}	Fee per sheet over 30 ^{1,2,3}	E-filing reductions according to Schedule of Fees:			Competent ISA(s) ⁴
				Items 4(a) ⁵ and (b) ⁶	Item 4(c) ⁷	Item 4(d) ⁸	
TM	USD ⁹ –	USD 1,300	15	98	–	–	EP RU
TN	TND ⁹ –	CHF 1,330	15	–	–	–	EP
TR	CHF 100	CHF 1,330	15	100	–	–	EP
TT	TTD 750	USD 1,300	15	98	–	–	AT EP SE US
UA	UAH or eq EUR or USD ²⁰ 1,300	USD (or eq UAH or EUR) 1,300	15	–	–	–	EP RU
US	USD 240	USD 1,300	15	98	195	–	AU EP KR US
UZ	USD ⁹ –	USD 1,300	15	98	–	–	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 9,590	110	720	–	–	AT AU EP US
ZM	USD 50	USD 1,300	15	–	–	–	AT SE
ZW	ZWD 6,000	ZWD eq USD 1,300	eq USD 15	eq USD 98	–	–	AT AU CN EP RU

Table I(b) — Search fees

(amounts on 1 February 2010, unless otherwise indicated)

ISA	Search fee ¹									
AT ²¹	EUR 1,700	CHF 2,574	KRW 2,951,000	SGD 3,550	USD 2,515	ZAR 18,560				
AU	AUD 1,600	CHF 1,430	EUR 944	KRW 1,684,000	NZD 1,937	SGD 1,970	USD 1,397	ZAR* 10,310		
	* (from 15.3.10: ZAR 11,060)									
BR ²²	BRL 1,900	CHF 1,076	EUR 711	USD 1,052						
CA	CAD 1,600	CHF 1,533	EUR 1,012	USD 1,498						
CN	CNY 2,100	CHF 314	EUR 208	USD 307						
EP ²³	EUR* 1,700	CHF 2,574	DKK 12,650	GBP 1,536	ISK 310,000	JPY 229,000	MWK 352,000	NOK 14,670	NZD 3,487	SEK 17,110
	ZAR 18,560				SGD 3,550	USD 2,515				
	(from 1.4.10: EUR 1,785)		(amounts in other currencies not yet established))							
ES ²³	EUR 1,700	CHF 2,574	USD 2,515							
FI	EUR 1,700	CHF 2,574	USD 2,515							
JP	JPY 97,000	CHF 1,090	EUR 720	KRW 1,284,000	USD 1,065					
KR	KRW 1,300,000 ²⁴	AUD 1,192 ²⁴	CHF 1,116 ²⁴	EUR 737 ²⁴	NZD 1,464 ²⁴	SGD 1,530 ²⁴	USD 1,092 ²⁴			
	KRW 450,000 ²⁵	AUD 428 ²⁵	CHF 382 ²⁵	EUR 252 ²⁵	NZD 517 ²⁵	SGD 530 ²⁵	USD 373 ²⁵			
RU	RUB 13,500	CHF 459	EUR 303	USD 449						
SE	SEK 17,110	CHF 2,574	DKK 12,650	EUR 1,700	ISK 310,000	NOK 14,670	USD 2,515			
US	USD 2,080	CHF 2,129	EUR 1,406	NZD 2,880	ZAR 15,350					
XN	DKK 12,650	CHF 2,574	EUR 1,700	ISK 310,000	NOK 14,670	USD 2,515				

Table I(c) — Supplementary search fees

(amounts on 1 February 2010, unless otherwise indicated)

ISA	Supplementary search fee	Supplementary search handling fee
FI	CHF 2,574	CHF 200
RU	Equivalent in CHF of RUR ²⁶ 9,450	(13,500) ²⁷ CHF 200
SE	CHF 2,574	CHF 200
XN	CHF 2,574	CHF 200

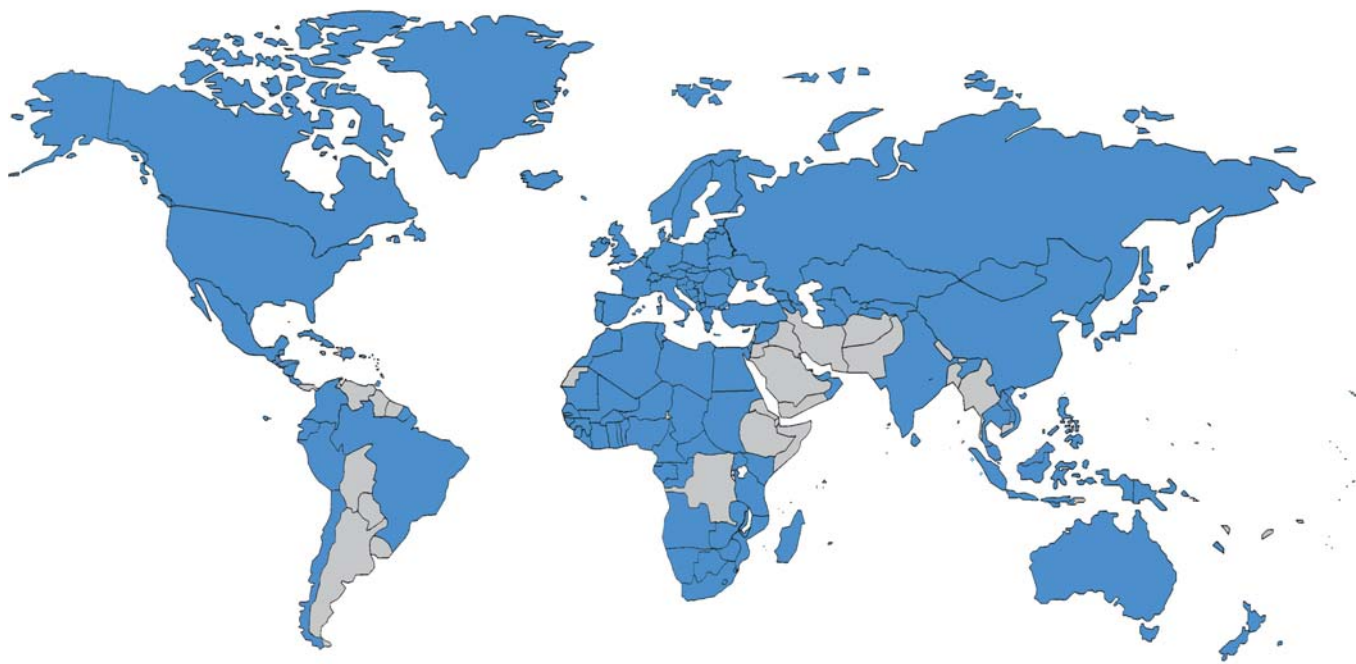
Table II — Preliminary examination fees
(amounts on 1 February 2010, unless otherwise indicated)

IPEA	Preliminary examination fee ²⁸		Handling fee ^{2, 28} (CHF 200)
AT ²¹	EUR	1,675	EUR 132
AU	AUD	550 780 ²⁹	AUD 224
BR ²²	BRL	710	BRL 353
CA	CAD	800	CAD 209
CN	CNY	1,500	CNY eq CHF 200
EP ²³	EUR	1,675 (from 1.4.10: EUR 1,760)	EUR 132
ES	EUR	560.88	EUR 132
FI	EUR	550	EUR 132
JP	JPY	36,000	JPY 17,800
KR	KRW	450,000	KRW 236,000
RU	RUB	5,400 ³⁰ 8,100 ³¹	USD 195
SE	SEK	5,000	SEK 1,330
US	USD	600 750 ³²	USD 195
XN	DKK	5,000	DKK 980

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
- 3 Where the international application contains a sequence listing as a separate part of the description, this should preferably be furnished in accordance with Annex C, paragraph 40, of the Administrative Instructions under the PCT, that is, in compliance with WIPO Standard ST.25 text format; no additional fees are due for sequence listings filed in this format. Where, however, such sequence listings are filed in the form of an image file (e.g. PDF), fees are due for each page (see *PCT Newsletter* No. 06/2009, page 2 at: http://www.wipo.int/pct/en/newslett/2009/newslett_09.pdf).
- 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 When calculating the USD equivalent amount in CLP, applicants should use the exchange rate fixed by the Central Bank of Chile on the day before the date of payment.
- 11 This fee is reduced by 80% where the applicant is a natural person.
- 12 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.
- 13 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
- 14 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).
- 15 The Japan Patent Office is competent only for international applications in Japanese.
- 16 This fee is subject to value added tax (VAT). Applicants may consult the receiving Office or a registered patent attorney for the latest applicable VAT rate.
- 17 Plus EUR 1.50 for the preparation of additional copies, for each page and each copy.
- 18 Plus MYR 45 for each sheet in excess of 30.
- 19 Plus 12.5% GST (Goods and Services Tax) for New Zealand residents.
- 20 This fee is reduced by 95% where all applicants are also inventors and by 90% where all applicants are also non-profitable institutions and/or organizations. When the fee is payable with relation to an application made by both types of applicant, and all applicants are either also inventors, or non-profitable institutions and/or organizations, the fee is reduced by 90%.
- 21 The fee will be 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 for which the Austrian Patent Office is an International Searching Authority (in the case of the search fee)/International Preliminary Examining Authority (in the case of the preliminary examination fee).
- 22 This fee is reduced by 60% where the international application is filed by a natural person, a small or medium enterprise or an academic institution.
- 23 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. For further information, see the relevant footnote in the *PCT Applicant's Guide*, Annexes D (EP and ES) and E (EP) at: <http://www.wipo.int/pct/guide/en/index.html>
- 24 For searches carried out in English.
- 25 For searches carried out in Korean.
- 26 This amount refers to the equivalent amount in Swiss francs, at the exchange rate of the Central Bank of the Russian Federation, applicable on the date of payment.
- 27 This fee applies where a declaration referred to in PCT Article 17(2)(a) has been made by the International Searching Authority because of subject matter referred to in PCT Rule 39.1(iv) (methods of treatment).
- 28 Payable to the International Preliminary Examining Authority in the currency or one of the currencies prescribed by it.
- 29 Payable when the international search report was not issued by the Australian Patent Office.
- 30 Payable when the international search report was established by the Federal Service for Intellectual Property, Patents and Trademarks (Russian Federation).
- 31 In all cases where footnote 30 does not apply.
- 32 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 (142 on 1 February 2010)



AE United Arab Emirates	CU Cuba	IS Iceland (EP)	MG Madagascar	SG Singapore
AG Antigua and Barbuda	CY Cyprus (EP) ²	IT Italy (EP) ²	MK The former Yugoslav Republic of Macedonia (EP) ⁴	SI Slovenia (EP) ²
AL Albania ¹	CZ Czech Republic (EP)	JP Japan	ML Mali (OA) ²	SK Slovakia (EP)
AM Armenia (EA)	DE Germany (EP)	KE Kenya (AP)	MN Mongolia	SL Sierra Leone (AP)
AO Angola	DK Denmark (EP)	KG Kyrgyzstan (EA)	MR Mauritania (OA) ²	SM San Marino (EP) ⁵
AT Austria (EP)	DM Dominica	KM Comoros	MT Malta (EP) ²	SN Senegal (OA) ²
AU Australia	DO Dominican Republic	KN Saint Kitts and Nevis	MW Malawi (AP)	ST Sao Tome and Principe
AZ Azerbaijan (EA)	DZ Algeria	KP Democratic People's Republic of Korea	MX Mexico	SV El Salvador
BA Bosnia and Herzegovina ¹	EC Ecuador	KR Republic of Korea	MY Malaysia	SY Syrian Arab Republic
BB Barbados	EE Estonia (EP)	KZ Kazakhstan (EA)	MZ Mozambique (AP)	SZ Swaziland (AP) ²
BE Belgium (EP) ²	EG Egypt	LA Lao People's Democratic Republic	NA Namibia (AP)	TD Chad (OA) ²
BF Burkina Faso (OA) ²	ES Spain (EP)	LC Saint Lucia	NE Niger (OA) ²	TG Togo (OA) ²
BG Bulgaria (EP)	FI Finland (EP)	LI Liechtenstein (EP)	NG Nigeria	TH Thailand
BH Bahrain	FR France (EP) ²	LK Sri Lanka	NI Nicaragua	TJ Tajikistan (EA)
BJ Benin (OA) ²	GA Gabon (OA) ²	LR Liberia (<i>from 24 March 2010: AP</i>)	NL Netherlands (EP) ²	TM Turkmenistan (EA)
BR Brazil	GB United Kingdom (EP)	LS Lesotho (AP)	NO Norway (EP) ³	TN Tunisia
BW Botswana (AP)	GD Grenada	LT Lithuania (EP)	NZ New Zealand	TR Turkey (EP)
BY Belarus (EA)	GE Georgia	LU Luxembourg (EP)	OM Oman	TT Trinidad and Tobago
BZ Belize	GH Ghana (AP)	LV Latvia (EP) ²	PE Peru	TZ United Republic of Tanzania (AP)
CA Canada	GM Gambia (AP)	LY Libyan Arab Jamahiriya	PG Papua New Guinea	UA Ukraine
CF Central African Republic (OA) ²	GN Guinea (OA) ²	MA Morocco	PH Philippines	UG Uganda (AP)
CG Congo (OA) ²	GQ Equatorial Guinea (OA) ²	MC Monaco (EP) ²	PL Poland (EP)	US United States of America
CH Switzerland (EP)	GT Guatemala	MD Republic of Moldova (EA)	PT Portugal (EP)	UZ Uzbekistan
CI Côte d'Ivoire (OA) ²	GW Guinea-Bissau (OA) ²	ME Montenegro	RO Romania (EP)	VC Saint Vincent and the Grenadines
CL Chile	HN Honduras		RS Serbia ¹	VN Viet Nam
CM Cameroon (OA) ²	HR Croatia (EP) ³		RU Russian Federation (EA)	ZA South Africa
CN China	HU Hungary (EP)		SC Seychelles	ZM Zambia (AP)
CO Colombia	ID Indonesia		SD Sudan (AP)	ZW Zimbabwe (AP)
CR Costa Rica	IE Ireland (EP) ²		SE Sweden (EP)	
	IL Israel			
	IN India			

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 Only international applications filed on or after 1 January 2009 include the designation of this State for a European patent.

⁵ Only international applications filed on or after 1 July 2009 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 January 2010) 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: <http://www.wipo.int/pct-safe/en/>). The request and demand forms can be printed from the website, in editable PDF format, at: <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.