



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

10 January 2008

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FEES PAYABLE UNDER THE PCT

XN Nordic Patent Institute

Further to the publication in Official Notices (PCT Gazette) of 13 December 2007, pages 272 to 278, of the Agreement between the **Nordic Patent Institute** and the International Bureau in relation to the functioning of the Institute as an International Searching and International Preliminary Examining Authority under the PCT, which entered into force on 1 January 2008, and pursuant to PCT Rule 16.1(b), equivalent amounts of the search fee have been established in **Icelandic kronur (ISK)** and **Norwegian kroner (NOK)**. These amounts, applicable since 1 January 2008, are ISK 141,000 and NOK 12,560, respectively.



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INFORMATION ON CONTRACTING STATES

BR Brazil

The **National Institute of Industrial Property** has notified changes in its location and mailing address, in its telephone and facsimile numbers and in its e-mail address, as follows:

| | |
|-------------------------------|---|
| Location and mailing address: | Rua Mayrink Veiga, No. 9, 27° andar, Centro, CEP20090-910 Rio de Janeiro, RJ, Brazil |
| Telephone: | (55-21) 2139 33 17, 2139 33 18, 2139 33 19, 2139 34 93 |
| Facsimile machine: | (55-21) 2139 35 41 |
| E-mail: | pct@inpi.gov.br |

[Updating of Annex B1(BR) of the *PCT Applicant's Guide*]

UA Ukraine

The **State Department of Intellectual Property (SDIP), Ministry of Education and Science of Ukraine** has notified changes in its location and mailing addresses, in its telephone and facsimile numbers as well as in its e-mail and Internet addresses, as follows:

| | |
|--------------------|--|
| Location: | 45 Uritskogo Street, Kyiv 35, 03680 Ukraine |
| Mailing address: | Ukrainsky Instytut Ppomyslovoi Vlasnosti Ukrainian Institute of Industrial Property (Ukrpatent), 1, Hlazunova Street, Kyiv 42, 01601 Ukraine |
| Telephone: | (380-44) 494 05 04, 494 05 05 |
| Facsimile machine: | (380-44) 494 05 06 |
| E-mail: | office@ukrpatent.org |
| Internet: | www.ukrpatent.org |

[Updating of Annex B1(UA) of the *PCT Applicant's Guide*]

FEES PAYABLE UNDER THE PCT

FI Finland

Under PCT Rule 26bis.3(d), the **National Board of Patents and Registration of Finland** has notified a fee for requesting restoration of the right of priority in **euro (EUR)**, payable to it as receiving Office. The amount of this fee, applicable since 13 December 2007, is EUR 250.

[Updating of Annex C(FI) of the *PCT Applicant's Guide*]

GB United Kingdom

The **United Kingdom Intellectual Property Office** (an operating name of the Patent Office) has notified a change in the amount of the fee for the priority document (PCT Rule 17.1(b)) in **pounds sterling (GBP)**, payable to it as receiving Office. The amount applicable since 17 December 2007 is GBP 20.

[Updating of Annex C(GB) of the *PCT Applicant's Guide*]

KR Republic of Korea

The **Korean Intellectual Property Office** has notified that it would not require a fee for the priority document (PCT Rule 17.1(b)) for international applications filed with it as receiving Office on or after 1 January 2008.

[Updating of Annex C(KR) of the *PCT Applicant's Guide*]

Furthermore, the Office has notified changes relating to several components of the national fee payable to it as designated (or elected) Office, applicable since 1 January 2008, as follows:

National fee:

For patent:

Annual fees from the first to
the third year, per year:

KRW 22,000 plus
KRW 15,000 for each claim

For utility model:

Annual fees from the first to
the third year, per year:

KRW 17,000 plus
KRW 4,000 for each claim

[Updating of the National Chapter, Summary (KR) of the *PCT Applicant's Guide*]

**DEPOSITS OF MICROORGANISMS AND OTHER BIOLOGICAL MATERIAL:
REQUIREMENTS OF DESIGNATED AND ELECTED OFFICES**

BR Brazil

The **National Institute of Industrial Property** has notified its requirements concerning the deposit of microorganisms and other biological material. The table of requirements reads as follows:

| Time (if any) earlier than 16 months from priority date by which applicant must furnish: | | Additional indications (if any) which must be given besides those prescribed in Rule 13bis.3(a)(i) to (iii) pursuant to notifications from the Offices concerned |
|--|--|---|
| the indications prescribed in Rule 13bis.3(a)(i) to (iii) | any additional matter specified in the adjacent right-hand column | |
| None | At the time of filing (as part of the application) | To the extent available to the applicant, relevant information on the characteristics of the biological material |
| Deposits may also be made for the purposes of patent procedure before the National Institute of Industrial Property with any depositary institution authorized by the Institute. | | |

[Updating of Annex L of the *PCT Applicant's Guide*]



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FEES PAYABLE UNDER THE PCT

ES Spain

The **Spanish Patent and Trademark Office** has notified a new fee for electronic filing, in **euro (EUR)**, payable to it as designated (or elected) Office. The amount of this fee, applicable since 1 January 2008, is EUR 76.41.

[Updating of the National Chapter, Summary (ES) of the *PCT Applicant's Guide*]

INFORMATION ON INTERGOVERNMENTAL ORGANIZATIONS INTERNATIONAL SEARCHING AUTHORITIES INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES

XN Nordic Patent Institute

General information on the **Nordic Patent Institute**, as well as information on the requirements of the Institute as International Searching Authority and as International Preliminary Examining Authority, is given in Annexes B2(XN), D(XN) and E(XN), which are published on the following pages.

B2

**Information on Intergovernmental
Organizations**

B2

XN

NORDIC PATENT INSTITUTE

XN

General information

| | |
|---|---|
| Name of Office: | Nordic Patent Institute |
| Location and mailing address: | Helgeshoj Allé 81, 2630 Taastrup, Denmark |
| Telephone: | (45-43) 50 85 00 |
| Facsimile machine: | (45-43) 50 80 08 |
| E-mail: | npi@npi.int |
| Internet: | www.npi.int |
| Does the Office accept the filing of documents by means of telecommunication (PCT Rule 92.4)? | Yes, by facsimile machine |
| Which kinds of documents may be so transmitted? | All kinds of documents |
| Must the original of the document be furnished in all cases? | Yes, within 14 days from the date of the transmission |
| Would the Office accept evidence of mailing a document, in case of loss or delay, where a delivery service other than the postal authorities is used (PCT Rule 82.1)? | Yes |

| | | |
|-----------|--|-----------|
| D | International Searching Authorities | D |
| XN | NORDIC PATENT INSTITUTE | XN |

| | | |
|---|--|-----------------|
| Search fee (PCT Rule 16): ¹ | Danish krone (DKK) | 12,040 |
| | Euro (EUR) | 1,615 |
| | Icelandic krona (ISK) | 141,000 |
| | Norwegian krone (NOK) | 12,560 |
| | Swiss franc (CHF) | 2,667 |
| | US dollar (USD) | 2,274 |
| <hr/> | | |
| Additional search fee (PCT Rule 40.2): ² | DKK | 12,040 |
| <hr/> | | |
| Fee for copies of documents cited in the international search report (PCT Rule 44.3): | DKK | 50 per document |
| <hr/> | | |
| Conditions for refund and amount of refund of the search fee: | <p>Money paid by mistake, without cause, or in excess, will be refunded.</p> <p>Where the international application is withdrawn or is considered withdrawn, under PCT Article 14(1), (3) or (4), before the start of the international search: refund of 100%</p> <p>Where the Authority benefits from an earlier international or international-type search: refund of 50%</p> <p>Where on an earlier application, the priority of which is claimed, a search report has been issued by the Danish Patent and Trademark Office, the Icelandic Patent Office, the Norwegian Patent Office or the Swedish Patent and Registration Office and where the Authority benefits from that search report: refund of 25%</p> | |
| <hr/> | | |
| Protest fee (PCT Rule 40.2(e)): | DKK | 8,000 |
| <hr/> | | |
| Languages accepted for international search: | Danish, English, Icelandic, Norwegian and Swedish | |
| <hr/> | | |
| Does the Authority require that nucleotide and/or amino acid sequence listings be furnished in electronic form (PCT Rule 13 ^{ter} .1)? | Yes | |
| Which types of electronic medium does the Authority require? | 3.5 inch diskette, CD-ROM, CD-R, DVD-ROM or DVD-R | |
| <hr/> | | |
| Subject matter that will not be searched: | The subject matter specified in items (i) to (vi) of PCT Rule 39.1 with the exception of all subject matter which is searched in the national patent grant procedure under the provisions of the Danish, Icelandic and Norwegian Patent Laws | |

[Continued on next page]

¹ This fee is payable to the receiving Office in the currency or one of the currencies accepted by it (see Annex C).

² This fee is payable to the International Searching Authority and only in particular circumstances.

| | | |
|-----------|--|-----------|
| D | International Searching Authorities | D |
| XN | NORDIC PATENT INSTITUTE | XN |

[Continued]

Waiver of power of attorney:

Has the Authority waived the requirement that a separate power of attorney be submitted?

Yes

Particular instances in which a separate power of attorney is required:

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

Has the Authority waived the requirement that a copy of a general power of attorney be submitted?

Yes

Particular instances in which a copy of a general power of attorney is required:

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

E **E**
International Preliminary
Examining Authorities
XN **XN**
NORDIC PATENT INSTITUTE

| | | |
|--|---|-----------------|
| Preliminary examination fee (PCT Rule 58): ¹ | Danish krone (DKK) | 5,000 |
| Additional preliminary examination fee (PCT Rule 68.3): ² | DKK | 5,000 |
| Handling fee (PCT Rule 57.1): ³ | DKK | 900 |
| Fee for copies of documents cited in the international preliminary examination report (PCT Rule 71.2): | DKK | 50 per document |
| Fee for copies of documents contained in the file of the international application (PCT Rule 94.2): | DKK | 3.25 per page |
| Conditions for refund and amount of refund of the preliminary examination fee: | <p>Money paid by mistake, without cause, or in excess, will be refunded.</p> <p>In the cases provided for under PCT Rule 58.3:</p> <ul style="list-style-type: none"> — in the case of PCT Rules 54.4, 54bis.1(b) and 58bis.1(b): refund of 100%; — in the case of PCT Rule 60.1(c): refund of the amount paid less the current amount of the transmittal fee. <p>If the international application or the demand is withdrawn before the start of the international preliminary examination: refund of 100%</p> | |
| Protest fee (PCT Rule 68.3(e)): | DKK | 8,000 |
| Languages accepted for international preliminary examination: | Danish, English, Icelandic, Norwegian and Swedish | |
| Subject matter that will not be examined: | The subject matter specified in items (i) to (vi) of PCT Rule 67.1 with the exception of all subject matter which is examined in the national patent grant procedure under the provisions of the Danish, Icelandic and Norwegian Patent Laws | |
| Waiver of power of attorney: | | |
| Has the Authority waived the requirement that a separate power of attorney be submitted? | Yes | |
| Particular instances in which a separate power of attorney is required: | Upon appointment of, or for any paper submitted by, an agent or a common representative who was not indicated on the request form at the time of filing | |
| Has the Authority waived the requirement that a copy of a general power of attorney be submitted? | Yes | |
| Particular instances in which a copy of a general power of attorney is required: | Upon appointment of, or for any paper submitted by, an agent or a common representative who was not indicated on the request form at the time of filing | |

¹ This fee is payable to the International Preliminary Examining Authority.

² This fee is payable to the International Preliminary Examining Authority and only in particular circumstances.

³ This fee is payable to the International Preliminary Examining Authority. It is reduced by 75% if certain conditions apply (see corresponding footnote to Annex C(IB)). For further details, see *PCT Gazette* No. 41/2006, page 19092, Schedule of Fees, item 4.



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INFORMATION ON CONTRACTING STATES

KR Republic of Korea

The **Korean Intellectual Property Office** has notified a change in its location and mailing address, with effect since 1 February 2008, as follows:

| | |
|-------------------------------|--|
| Location and mailing address: | Government Complex-Daejeon, 139 Seonsa-ro, Seo-gu, Daejeon 302-701, Republic of Korea |
|-------------------------------|--|

[Updating of Annex B1(KR) of the *PCT Applicant's Guide*]

FEES PAYABLE UNDER THE PCT

CY Cyprus

The **Department of Registrar of Companies and Official Receiver of Cyprus** has notified a change in the currency of payment of the fees from **Cyprus pound (CYP)** to **euro (EUR)**, effective since 1 January 2008. The amounts of several fees payable to the Office as receiving Office are now as follows:

| | |
|--------------------------------|------------|
| Transmittal fee: | EUR 128.15 |
| International filing fee: | EUR 848 |
| Fee per sheet in excess of 30: | EUR 9 |

[Updating of Annex C(CY) of the *PCT Applicant's Guide*]

KR Republic of Korea – Corrigendum

The **Korean Intellectual Property Office** as receiving Office has notified the International Bureau of an error in the information published in Official Notices (PCT Gazette) of 17 January 2008, page 5, concerning international applications for which a fee for the priority document (PCT Rule 17.1(b)) is no longer payable. The Office no longer requires a fee for the priority document for international applications, with effect from 1 January 2008, regardless of the international filing date of the application concerned.

[Updating of Annex C(KR) of the *PCT Applicant's Guide*]



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WITHDRAWAL OF NOTIFICATIONS BY DESIGNATED OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 49.6(f)

HR Croatia

Further to its notification of incompatibility with its national law under PCT Rule 49.6(f) (see PCT Gazette No. 05/2003, page 2526), the **State Intellectual Property Office**, in its capacity as designated Office, has notified the International Bureau that it has withdrawn the said notification with effect from 1 January 2004. PCT Rule 49.6(a) to (e) therefore applies with effect from that date.



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FEES PAYABLE UNDER THE PCT

CA Canada

IB International Bureau

For the purposes of the payment of fees to the **International Bureau** as receiving Office, and pursuant to PCT Rule 16.1(d), a new equivalent amount in **Swiss francs (CHF)** has been established for the search fee for an international search carried out by the **Canadian Intellectual Property Office**. This amount, applicable from 1 April 2008, is CHF 1,777.

[Updating of Annex D(CA) of the *PCT Applicant's Guide*]

GB United Kingdom

New equivalent amounts in **pounds sterling (GBP)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for reductions under item 3 of the Schedule of Fees. These amounts, applicable from 1 May 2008, are as follows:

| | |
|--|---------|
| International filing fee: | GBP 647 |
| Fee per sheet in excess of 30: | GBP 7 |
| Reductions (under Schedule of Fees, item 3): | |
| PCT-EASY: | GBP 46 |
| Electronic filing (the request in character coded format): | GBP 92 |
| Electronic filing (the request, description, claims and abstract in character coded format): | GBP 139 |

[Updating of Annex C(GB) of the *PCT Applicant's Guide*]

KR Republic of Korea

New equivalent amounts in **Korean won (KRW)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for reductions under item 3 of the Schedule of Fees. These amounts, applicable from 1 May 2008, are as follows:

| | |
|--|---------------|
| International filing fee: | KRW 1,221,000 |
| Fee per sheet in excess of 30: | KRW 13,000 |
| Reductions (under Schedule of Fees, item 3): | |
| PCT-EASY: | KRW 87,000 |
| Electronic filing (the request, description, claims and abstract in character coded format): | KRW 262,000 |

[Updating of Annex C(KR) of the *PCT Applicant's Guide*]

US United States of America

The Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee (PCT Rule 16) in **Swiss francs (CHF)**, payable for an international search carried out by the **United States Patent and Trademark Office (USPTO)** for the purposes of certain receiving Offices which have specified the Swiss franc (CHF) as a currency of payment or use the Swiss franc (CHF) as a basis for calculating the equivalent amount in the national currency. This amount, applicable from 1 April 2008, is CHF 1,995.

[Updating of Annex D(US) of the *PCT Applicant's Guide*]



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**INTERNATIONAL SEARCHING AUTHORITIES
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES**

EP European Patent Organisation (EPO)

Agreement between the European Patent Organisation and the International Bureau of the World Intellectual Property Organization¹ – Amendment to Annex C

The **European Patent Organisation (EPO)** has notified the International Bureau, in accordance with Article 11(3)(ii) of the above-mentioned Agreement, of amendments to Part I of Annex C thereof. These amendments will enter into force on 1 April 2008. The amended Annex C will read as follows:

**“Annex C
Fees and Charges**

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (Euro) |
|---|--------------------------|
| Search fee (Rule 16.1(a)) | 1,700 ² |
| Additional fee (Rule 40.2(a)) | 1,700 ² |
| Preliminary examination fee (Rule 58.1(b)) | 1,675 ² |
| Additional fee (Rule 68.3(a)) | 1,675 ² |
| Protest fee (Rules 40.2(e) and 68.3(e)): | |
| – for international applications still pending on 13 December 2007 | 1,120 |
| – for international applications filed on or after 13 December 2007 | 750 |
| Late furnishing fee (Rule 13 ^{ter} .1(c) and 13 ^{ter} .2) | [No change] |
| Cost of copies (Rules 44.3(b), 71.2(b) and 94.2), per page | 0.70 |

Part II. [No change]”

¹ Available on the WIPO website at: www.wipo.int/export/sites/www/pct/en/texts/agreements/ag_ep.pdf.

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

ES Spain

Agreement between the Spanish Patent and Trademark Office and the International Bureau of the World Intellectual Property Organization³ – Amendment to Annex C

The **Spanish Patent and Trademark Office** has notified the International Bureau, in accordance with Article 11(3)(ii) of the above-mentioned Agreement, of amendments to Part I of Annex C thereof. These amendments will enter into force on 1 April 2008. The amended Annex C will read as follows:

**“Annex C
Fees and Charges**

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (Euro) |
|---|--------------------------|
| Search fee (Rule 16.1(a)) | 1,700 ⁴ |
| Additional fee (Rule 40.2(a)) | 1,700 ⁴ |
| Preliminary examination fee (Rule 58.1(b)) | [No change] |
| Additional fee (Rule 68.3(a)) | [No change] |
| Cost of copies (Rules 44.3(b) and 71.2(b)): | |
| – national documents, per document | [No change] |
| – foreign documents, per document | [No change] |
| Cost of copies (Rule 94.2), per page | [No change] |

Part II. [No change]”

³ Available on the WIPO website at: www.wipo.int/export/sites/www/pct/en/texts/agreements/ag_es.pdf.

⁴ This fee is reduced by 75% where the applicant or, if there are two or more applicants, each applicant is a natural person or a legal entity and is a national of and resides in a State not party to the European Patent Convention, which fulfils the requirements for the corresponding reduction of certain PCT fees as specified in the Schedule of Fees annexed to the PCT Regulations (see also corresponding footnote to Annex C(IB) and PCT Gazette No. 50/1995, pages 19233 and 19234), and in accordance with the decision of the EPO’s Administrative Council of October 11, 2000 (OJ EPO 2000, 446).

SE Sweden

Agreement between the Swedish Patent and Registration Office and the International Bureau of the World Intellectual Property Organization⁵ – Amendment to Annex C

The **Swedish Patent and Registration Office** has notified the International Bureau, in accordance with Article 11(3)(ii) of the above-mentioned Agreement, of amendments to Part I of Annex C thereof. These amendments will enter into force on 1 April 2008. The amended Annex C will read as follows:

**“Annex C
Fees and Charges**

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (Swedish kronor) |
|--|------------------------------------|
| Search fee (Rule 16.1(a)) | 15,830 |
| Additional fee (Rule 40.2(a)) | 15,830 |
| Preliminary examination fee (Rule 58.1(b)) | [No change] |
| Additional fee (Rule 68.3(a)) | [No change] |
| Cost of copies (Rule 94.2), per page | [No change] |
| Cost of copies in paper form (Rules 44.3(b) and 71.2(b)), ⁶ per document | [No change] |

Part II. [No change]”

⁵ Available on the WIPO website at: www.wipo.int/export/sites/www/pct/en/texts/agreements/ag_se.pdf.

⁶ The applicant will receive free of charge a copy of each document containing non-patent literature. Other documents are available electronically, free of charge, on the website www.prv.se.

XN Nordic Patent Institute

Agreement between the Nordic Patent Institute and the International Bureau of the World Intellectual Property Organization⁷ – Amendment to Annex C

The **Nordic Patent Institute** has notified the International Bureau, in accordance with Article 11(3)(ii) of the above-mentioned Agreement, of amendments to Part I of Annex C thereof. These amendments will enter into force on 1 April 2008. The amended Annex C will read as follows:

**“Annex C
Fees and Charges**

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (Danish kroner) |
|---|-----------------------------------|
| Search fee (Rule 16.1(a)) | 12,670 |
| Additional fee (Rule 40.2(a)) | 12,670 |
| Preliminary examination fee (Rule 58.1(b)) | [No change] |
| Additional fee (Rule 68.3(a)) | [No change] |
| Protest fee (Rules 40.2(e) and 68.3(e)) | [No change] |
| Cost of copies in paper form (Rules 44.3(b) and 71.2(b)), per document | [No change] |
| Cost of copies (Rule 94.2), per page | [No change] |

Part II. [No change]”

⁷ Available on the WIPO website at: www.wipo.int/export/sites/www/pct/en/texts/agreements/ag_xn.pdf.

FEES PAYABLE UNDER THE PCT

EP European Patent Organisation (EPO)

The **European Patent Office (EPO)** has notified new amounts of fees in **euro (EUR)**, payable to it as International Searching Authority and International Preliminary Examining Authority. These amounts, applicable from 1 April 2008, are as follows:

| | |
|---|--|
| Search fee (PCT Rule 16.1(a)): | EUR 1,700 |
| Additional search fee (PCT Rule 40.2(a)): | EUR 1,700 |
| Fee for copies of documents cited in the international search report (PCT Rule 44.3(b)): | For applicants: [No change] For designated Offices: EUR 0.70 per page |
| Protest fee (Rule 40.2(e)) | |
| – for international applications still pending on 13 December 2007: | EUR 1,120 |
| – for international applications filed on or after 13 December 2007: | EUR 750 |
| Preliminary examination fee (PCT Rule 58.1(b)): | EUR 1,675 |
| Additional preliminary examination fee (PCT Rule 68.3(a)): | EUR 1,675 |
| Fee for copies of documents cited in the international preliminary examination report (PCT Rule 71.2(b)): | For applicants: [No change] For elected Offices: EUR 0.70 per page |
| Fee for copies of documents contained in the file of the international application (PCT Rule 94.2): | Per A4 page or smaller (delivery charge should be added if the copies are to be sent by airmail): EUR 0.70 per page |
| Protest fee (PCT Rule 68.3(e)) | |
| – for international applications still pending on 13 December 2007: | EUR 1,120 |
| – for international applications filed on or after 13 December 2007: | EUR 750 |

[Updating of Annexes D(EP) and E(EP) of the *PCT Applicant's Guide*]

ES Spain

The **Spanish Patent and Trademark Office** has notified new amounts of the search fee (PCT Rule 16.1(a)) and of the additional search fee (PCT Rule 40.2(a)), in **euro (EUR)**, payable to it as International Searching Authority. These amounts, applicable from 1 April 2008, are EUR 1,700 for each of the fees.

[Updating of Annex D(ES) of the *PCT Applicant's Guide*]

JP Japan

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **Korean won (KRW)** has been established for the search fee for an international search carried out by the **Japan Patent Office**. This amount, applicable from 15 May 2008, is KRW 852,000.

[Updating of Annex D(JP) of the *PCT Applicant's Guide*]

SE Sweden

The **Swedish Patent and Registration Office** has notified the International Bureau of new amounts of the search fee (PCT Rule 16.1(a)) and of the additional search fee (PCT Rule 40.2(a)) in **Swedish kronor (SEK)**, and of new equivalent amounts of the search fee in **Swiss francs (CHF)**, **Danish kroner (DKK)**, **euro (EUR)**, **Icelandic kronur (ISK)**, **Norwegian kroner (NOK)** and **US dollars (USD)**, applicable from 1 April 2008 and payable for an international search carried out by the Office, as follows:

| | | |
|------------------------|-----|---------|
| Search fee: | SEK | 15,830 |
| | CHF | 2,726 |
| | DKK | 12,670 |
| | EUR | 1,700 |
| | ISK | 167,000 |
| | NOK | 13,440 |
| | USD | 2,496 |
| Additional search fee: | SEK | 15,830 |

[Updating of Annex D(SE) of the *PCT Applicant's Guide*]

XN Nordic Patent Institute

The **Nordic Patent Institute** has notified new amounts of the search fee (PCT Rule 16.1(a)) and of the additional search fee (PCT Rule 40.2(a)), in **Danish kroner (DKK)**, payable to it as International Searching Authority. These amounts, applicable from 1 April 2008, are DKK 12,670 for each of the fees.

Furthermore, pursuant to PCT Rule 16.1(b), new equivalent amounts in **Swiss francs (CHF)**, **euro (EUR)**, **Icelandic kronur (ISK)**, **Norwegian kroner (NOK)** and **US dollars (USD)** have been established for the search fee for an international search carried out by the Institute. These amounts, applicable from 1 April 2008, are as follows:

| | |
|-----|---------|
| CHF | 2,726 |
| EUR | 1,700 |
| ISK | 167,000 |
| NOK | 13,440 |
| USD | 2,496 |

[Updating of Annex D(XN) of the *PCT Applicant's Guide*]



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FEES PAYABLE UNDER THE PCT

CA Canada

New equivalent amounts in **Canadian dollars (CAD)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for one of the reductions under item 3 of the PCT Schedule of Fees. These amounts, applicable from 15 May 2008, are as follows:

| | |
|---|-----------|
| International filing fee: | CAD 1,261 |
| Fee per sheet in excess of 30: | CAD 14 |
| Reduction (under PCT Schedule of Fees, item 3): | |
| PCT-EASY: | CAD 90 |

[Updating of Annex C(CA) of the *PCT Applicant's Guide*]

EP European Patent Organisation (EPO)

Further to the announcement published in Official Notices (PCT Gazette) of 13 March 2008, page 25, notifying a new amount of the search fee for a search carried out by the **European Patent Office (EPO)**, and pursuant to PCT Rule 16.1(b), new equivalent amounts of the search fee have been established in **Swiss francs (CHF)**, **Danish kroner (DKK)**, **pounds sterling (GBP)**, **Icelandic kronur (ISK)**, **Japanese yen (JPY)**, **Malawian kwacha (MWK)**, **Norwegian kroner (NOK)**, **New Zealand dollars (NZD)**, **Swedish kronor (SEK)**, **Singapore dollars (SGD)**, **US dollars (USD)** and **South African rand (ZAR)**. These amounts, applicable from 1 April 2008, are as follows:

| | |
|-----|---------|
| CHF | 2,726 |
| DKK | 12,670 |
| GBP | 1,273 |
| ISK | 167,000 |
| JPY | 268,800 |
| MWK | 344,000 |
| NOK | 13,440 |
| NZD | 3,163 |
| SEK | 15,830 |
| SGD | 3,530 |
| USD | 2,496 |
| ZAR | 19,160 |

[Updating of Annex D(EP) of the *PCT Applicant's Guide*]

ES Spain

Pursuant to PCT Rule 16.1(b), new equivalent amounts in **Swiss francs (CHF)** and **US dollars (USD)** have been established for the search fee for an international search carried out by the **Spanish Patent and Trademark Office**. These amounts, applicable from 1 April 2008, are CHF 2,726 and USD 2,496, respectively.

[Updating of Annex D(ES) of the *PCT Applicant's Guide*]

IS Iceland

New equivalent amounts in **Icelandic kronur (ISK)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for one of the reductions under item 3 of the PCT Schedule of Fees. These amounts, applicable from 15 May 2008, are as follows:

| | |
|---|------------|
| International filing fee: | ISK 85,100 |
| Fee per sheet in excess of 30: | ISK 900 |
| Reduction (under PCT Schedule of Fees, item 3): | |
| PCT-EASY: | ISK 6,100 |

[Updating of Annex C(IS) of the *PCT Applicant's Guide*]

US United States of America

New equivalent amounts in **US dollars (USD)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for the reductions under item 3 of the PCT Schedule of Fees. These amounts, applicable from 15 May 2008, are as follows:

| | |
|--|-----------|
| International filing fee: | USD 1,263 |
| Fee per sheet in excess of 30: | USD 14 |
| Reductions (under PCT Schedule of Fees, item 3): | |
| PCT-EASY: | USD 90 |
| Electronic filing (the request not in character coded format): | USD 90 |
| Electronic filing (the request in character coded format): | USD 180 |

Electronic filing (the request,
description, claims and abstract
in character coded format):

USD 271

[Updating of Annexes C(AM), C(AP), C(AZ), C(BW), C(BY), C(BZ), C(CO), C(CR), C(CU), C(DO), C(EA), C(EC), C(EG), C(GE), C(GH), C(IB), C(IL), C(IN), C(KE), C(KG), C(KZ), C(LR), C(MD), C(NI), C(PG), C(PH), C(RU), C(SC), C(SY), C(TJ), C(TM), C(TT), C(UA), C(US), C(UZ), C(ZM) and C(ZW) of the *PCT Applicant's Guide*]



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INFORMATION ON INTERGOVERNMENTAL ORGANIZATIONS

EP European Patent Organisation (EPO)

The **European Patent Office (EPO)** has notified that Deutsche Post Express and LTA are no longer delivery services, other than the postal authorities, in respect of which evidence of mailing a document is accepted by the Office in case of loss or delay (PCT Rule 82.1).

[Updating of Annex B2(EP) of the *PCT Applicant's Guide*]

FEES PAYABLE UNDER THE PCT

EP European Patent Organisation (EPO)

The **European Patent Office (EPO)** has notified changes to the amounts of the transmittal fee (PCT Rule 14) and of the fee for the priority document (PCT Rule 17.1(b)), in **euro (EUR)**, payable to it as receiving Office. The amounts applicable from 1 April 2008 are EUR 110 and EUR 40, respectively.

[Updating of Annex C(EP) of the *PCT Applicant's Guide*]

Furthermore, the Office has notified changes to the conditions for refund and amounts of refund of the search fee, in **euro (EUR)**, payable to it as International Searching Authority. The consolidated list of these conditions and amounts, applicable from 1 April 2008, reads as follows:

Money paid by mistake, without cause, or in excess, will be refunded.

Where the international application is withdrawn or is considered withdrawn, under PCT Article 14(1), (3) or (4), before the start of the international search: refund of 100%.

Where the Authority benefits from an earlier search (including a privately commissioned "standard" search) already made by the Authority on an application whose priority is claimed for the international application and depending upon the extent to which the Authority benefits from the earlier search in carrying out the international search and any other task entrusted to it, the search fee paid shall be refunded to the extent provided for in a communication from the Authority to the International Bureau and published in Official Notices (PCT Gazette).

Extent to which the search fee paid for an earlier search shall be refunded when the Authority benefits from that search in carrying out an international search:

- for a European search (EPC Art. 78(2))
(*European application filed on or after
1 July 2005 and search fee paid before
1 April 2006*):

| | | |
|-------------------|-----|-----|
| (full benefit) | EUR | 960 |
| (partial benefit) | EUR | 240 |

| | |
|---|------------|
| <i>(European application filed on or after 1 July 2005 and search fee paid between 1 April 2006 and 31 March 2008):</i> | |
| (full benefit) | EUR 1,000 |
| (partial benefit) | EUR 250 |
| <i>(European application filed on or after 1 July 2005 and search fee paid on or after 1 April 2008):</i> | |
| (full benefit) | EUR 1,050 |
| (partial benefit) | EUR 262.50 |
| – for an international search (PCT Art. 15(1)) <i>(international application filed on or after 1 January 2004 and search fee paid before 1 April 2006):</i> | |
| (full benefit) | EUR 1,550 |
| (partial benefit) | EUR 387.50 |
| <i>(international application filed on or after 1 January 2004 and search fee paid between 1 April 2006 and 31 March 2008):</i> | |
| (full benefit) | EUR 1,615 |
| (partial benefit) | EUR 403.75 |
| <i>(international application filed on or after 1 January 2004 and search fee paid on or after 1 April 2008):</i> | |
| (full benefit) | EUR 1,700 |
| (partial benefit) | EUR 425 |
| – for a search with written opinion on a national application made on behalf of a national Office (BE, FR, LU, NL, TR) <i>(search fee for the international application paid before 1 April 2006):</i> | |
| (full benefit) | EUR 1,550 |
| (partial benefit) | EUR 387.50 |
| <i>(search fee for the international application paid between 1 April 2006 and 31 March 2008):</i> | |
| (full benefit) | EUR 1,615 |
| (partial benefit) | EUR 403.75 |
| <i>(search fee for the international application paid on or after 1 April 2008):</i> | |
| (full benefit) | EUR 1,700 |
| (partial benefit) | EUR 425 |

| | |
|--|------------|
| – for an international-type search (PCT Art. 15(5)) or for a standard search <i>(search fee paid before 1 April 2006):</i> | |
| (full benefit) | EUR 945 |
| (partial benefit) | EUR 236.25 |
| <i>(search fee paid between 1 April 2006 and 31 March 2008):</i> | |
| (full benefit) | EUR 985 |
| (partial benefit) | EUR 246.25 |
| <i>(search fee paid on or after 1 April 2008):</i> | |
| (full benefit) | EUR 1,035 |
| (partial benefit) | EUR 258.75 |
| – for a search without written opinion on a national application made on behalf of a national Office (BE, FR, LU, NL, TR) <i>(search fee for the international application paid before 1 April 2006):</i> | |
| (full benefit) | EUR 945 |
| (partial benefit) | EUR 236.25 |
| <i>(search fee for the international application paid between 1 April 2006 and 31 March 2008):</i> | |
| (full benefit) | EUR 985 |
| (partial benefit) | EUR 246.25 |
| <i>(search fee for the international application paid on or after 1 April 2008):</i> | |
| (full benefit) | EUR 1,035 |
| (partial benefit) | EUR 258.75 |

[Updating of Annex D(EP) of the *PCT Applicant's Guide*]

The Office has also notified changes to the components of the national fee, in **euro (EUR)**, payable to it as designated (or elected) Office, as well as to the exemptions, reductions or refunds of several of these components. The consolidated list of the said components of the national fee, exemptions, reductions or refunds, applicable from 1 April 2008, reads as follows:

National fee:

Filing fee:

- | | |
|---|---------|
| – where the form for entry into the European phase (EPO Form 1200) is filed online: | EUR 100 |
| – where the form for entry into the European phase (EPO Form 1200) is not filed online: | EUR 180 |

| | | |
|---|-----|-------------------------|
| Designation fee for each EPO Contracting State designated and for the joint designation of Switzerland and Liechtenstein; paying seven times the amount of this fee is deemed payment for all EPC Contracting States: | EUR | 85 |
| Extension fee for each extension State (extension of the European patent to Albania, Bosnia and Herzegovina, Serbia or the Former Yugoslav Republic of Macedonia): | EUR | 102 |
| Claims fee for the 16 th and each subsequent claim: | EUR | 200 |
| Search fee: | EUR | 1,050 |
| Fee for further processing: | | |
| – in the event of late payment of a fee: | | 50% of the relevant fee |
| – other cases: | EUR | 210 |
| Fee for late furnishing of a sequence listing: | EUR | 200 |
| Examination fee: | | |
| – for applications for which no supplementary European search report is drawn up: | EUR | 1,565 |
| – for all other applications: | EUR | 1,405 |
| Renewal fee for the third year: | EUR | 400 |

Exemptions, reductions or refunds of fees:

No search fee is payable where the international search report has been established by the EPO.

The search fee is reduced by EUR 190 where the international search report has been established by the Australian Patent Office, the Federal Service for Intellectual Property, Patents and Trademarks (Russian Federation), the Japan Patent Office, the Korean Intellectual Property Office, the State Intellectual Property Office of the People's Republic of China or the United States Patent and Trademark Office.

The search fee is not reduced where the international search report has been established by the Canadian Intellectual Property Office (pending discussions between the EPO and CIPO).

The search fee is reduced by EUR 890 where 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.

The examination fee is reduced by 50% where the international preliminary examination report has been established by the EPO.

Furthermore, in certain cases the examination fee is reduced by 20% for language reasons.

[Updating of the National Chapter (EP), Summary, of the *PCT Applicant's Guide*]



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FEES PAYABLE UNDER THE PCT

ZA South Africa

New equivalent amounts in **South African rand (ZAR)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for one of the reductions under item 3 of the PCT Schedule of Fees. These amounts, applicable from 1 June 2008, are as follows:

| | |
|--|-----------|
| International filing fee: | ZAR 9,810 |
| Fee per sheet in excess of 30: | ZAR 110 |
| Reduction (under PCT Schedule of Fees, item 3): | |
| PCT-EASY: | ZAR 700 |

[Updating of Annex C(ZA) of the *PCT Applicant's Guide*]



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CONTRACTING STATES

States Party to the Patent Cooperation Treaty (PCT)

ST Sao Tome and Principe

On 3 April 2008, **Sao Tome and Principe** deposited its instrument of accession to the PCT and on 3 July 2008, will become bound by the PCT.

Consequently, any international application filed on or after 3 July 2008 will automatically include the designation of Sao Tome and Principe (country code: ST).

Sao Tome and Principe will be bound by Chapter II of the PCT and will automatically be elected in any demand for international preliminary examination filed in respect of an international application filed on or after 3 July 2008. Furthermore, nationals and residents of Sao Tome and Principe will be entitled, as from 3 July 2008, to file international applications under the PCT.

[Updating of Annex A of the *PCT Applicant's Guide*]

INFORMATION ON CONTRACTING STATES

IT Italy

The **Italian Patent and Trademark Office** has informed the International Bureau of a change concerning the kinds of documents which may be filed by means of telecommunication (PCT Rule 92.4); as from 1 June 2008, all kinds of documents may be so filed, except international applications.

[Updating of Annex B1(IT) of the *PCT Applicant's Guide*]

FEES PAYABLE UNDER THE PCT

AT Austria

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **South African rand (ZAR)** has been established for the search fee for an international search carried out by the **Austrian Patent Office**. This amount, applicable from 15 June 2008, is ZAR 2,380.

[Updating of Annex D(AT) of the *PCT Applicant's Guide*]

AU Australia

Pursuant to PCT Rule 16.1(d), new equivalent amounts in **Korean won (KRW)** and **South African rand (ZAR)** have been established for the search fee for an international search carried out by the **Australian Patent Office**. These amounts, applicable from 15 June 2008, are KRW 1,415,000 and ZAR 11,640, respectively.

[Updating of Annex D(AU) of the *PCT Applicant's Guide*]

FI Finland

The **National Board of Patents and Registration of Finland** has notified a new fee and new amounts of fees, in **euro (EUR)**, payable to it as designated (or elected) Office and applicable since 1 April 2008, as follows:

National fee:

| | |
|--|-------------|
| Basic fee: | EUR 400 |
| Basic fee for an electronically filed application: | EUR 300 |
| Claim fee for each claim in excess of 10: | EUR 30 |
| Additional fee for late furnishing of translation or copy: | [No change] |
| Annual fees for the first three years: | EUR 170 |

[Updating of the National Chapter, Summary (FI), of the *PCT Applicant's Guide*]

KR Republic of Korea

The Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee (PCT Rule 16) in **Swiss francs (CHF)**, payable for an international search carried out by the **Korean Intellectual Property Office** for the purposes of certain receiving Offices which have specified the Swiss franc (CHF) as a currency of payment or use the Swiss franc (CHF) as a basis for calculating the equivalent amount in their national currency. The new amount, applicable from 1 June 2008, is CHF 226.

[Updating of Annex D(KR) of the *PCT Applicant's Guide*]

US United States of America

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **South African rand (ZAR)** has been established for the search fee for an international search carried out by the **United States Patent and Trademark Office (USPTO)**. This amount, applicable from 15 June 2008, is ZAR 14,000.

[Updating of Annex D(US) of the *PCT Applicant's Guide*]

US United States of America **IB International Bureau**

For the purposes of the payment of fees to the **International Bureau** as receiving Office, a new equivalent amount in **euro (EUR)** has been established for the search fee (PCT Rule 16) for an international search carried out by the **United States Patent and Trademark Office (USPTO)**. This amount, applicable from 1 June 2008, is EUR 1,154.

[Updating of Annex D(US) of the *PCT Applicant's Guide*]

RECEIVING OFFICES

MT Malta

The **Industrial Property Registrations Directorate, Commerce Division, Ministry of Finance, Economy and Investment** has specified the European Patent Office (EPO) as competent International Searching and International Preliminary Examining Authority for international applications filed by nationals and residents of Malta with the Industrial Property Registrations Directorate, Commerce Division, Ministry of Finance, Economy and Investment as receiving Office, with effect from 1 March 2007.



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MODIFICATIONS OF THE ADMINISTRATIVE INSTRUCTIONS UNDER THE PCT

NOTE PREPARED BY THE INTERNATIONAL BUREAU

Following consultation with interested Offices and Authorities pursuant to PCT Rule 89.2(b) and the change procedure under Annex F of the Administrative Instructions under the PCT, modifications to Sections 706 and 710 and Annex F of the Administrative Instructions, as set out below, are promulgated with effect from 1 July 2008.

The modifications to Sections 706 and 710, as well as some of the modifications to Annex F, concern the use of “pre-conversion files” in electronic filing and processing of international applications. Other modifications of Annex F concern the change procedure used for proposing modifications to that Annex.

The modifications of the Administrative Instructions will apply to international applications filed on or after 1 July 2008 and to proposals for change to Annex F submitted on or after that date.

The consolidated text of the main body of the Administrative Instructions (PCT/AI/7) and of Annex F thereto (PCT/AI/ANF/3) will be available in due course on the WIPO website.

TEXT OF THE ADMINISTRATIVE INSTRUCTIONS

Section 706

Documents in Pre-Conversion Format

(a) Where, for the purposes of filing the international application in electronic form, the document making up the international application has been prepared by conversion from a different electronic document format (“pre-conversion format”), the applicant may, if the receiving Office so permits and the pre-conversion format is accepted for that purpose by that Office, submit, together with the international application, the document in the pre-conversion format, in which case:

(i) the document in the pre-conversion format shall be identified as such and shall be accompanied by a statement by the applicant that the international application as filed in electronic form is a complete and accurate copy of the document in the pre-conversion format;

(ii) the request shall preferably contain an indication that the document in the pre-conversion format is submitted under Section 706 together with the international application.

(b) Where it is found that the international application as filed in electronic form is not in fact a complete and accurate copy of the document in the pre-conversion format submitted under paragraph (a), the applicant may, within 30 months from the priority date, request the receiving Office to correct the international application so as to bring it into conformity with the document in the pre-conversion format. Rule 26.4 shall apply *mutatis mutandis* to the manner in which corrections under this paragraph shall be requested.

(c) Where the receiving Office, the International Searching Authority, the International Preliminary Examining Authority or the International Bureau discovers what appears to be a correctable defect under paragraph (b), that Office, Authority or Bureau, as the case may be, may bring such defect to the attention of the applicant, drawing attention to the correction procedure under paragraph (b).

(d) The applicant and, if copies of the international application have already been sent to the International Bureau and the International Searching Authority, that Bureau and that Authority shall be promptly notified by the receiving Office of any correction under paragraph (b). If required, the International Bureau shall notify the International Preliminary Examining Authority accordingly. Where a correction is made after the completion of the technical preparations for international publication, the International Bureau shall promptly publish the corrected international application together with a revised front page.

(e) A correction under paragraph (b) shall be taken into account by the International Searching Authority for the purposes of the international search and the establishment of the written opinion, and by the International Preliminary Examining Authority for the purposes of the international preliminary examination, if it is notified to that Authority before it has begun to draw up the international search report, the written opinion or the international preliminary examination report, as applicable, in which case the said report or opinion shall so indicate.

(f) Paragraphs (a) to (e) shall apply *mutatis mutandis* to any document making up any element of the international application referred to in Article 3(2).

Section 710

Notification and Publication of Receiving Offices' Requirements and Practices

(a) A notification by a receiving Office to the International Bureau under Rule 89*bis*.1(d) and Section 703(a) that it is prepared to receive international applications in electronic form shall indicate, where applicable:

(i) the electronic document formats (including, where applicable, the versions of such electronic document formats), means of transmittal, types of electronic packages, electronic filing software and types of electronic signature specified by it under Section 703(b)(i) to (iv) and (c), and any options specified by it under the basic common standard;

(ii) and (iii) [No change]

(iv) whether and under what conditions the Office accepts the filing, under Section 706(a) and (f), of documents in pre-conversion format and the electronic document formats (including, where applicable, the versions of such electronic document formats) accepted by it under that Section;

(v) to (vii) [No change]

(b) to (d) [No change]

ANNEX F
STANDARD FOR THE FILING AND PROCESSING
IN ELECTRONIC FORM OF INTERNATIONAL APPLICATIONS

[No change to the introductory paragraphs 1 to 4]

1. [No change]

2. THE E-PCT STANDARD: OVERVIEW AND VISION

[No change to the introductory text]

2.1 to 2.4 [No change]

2.5 *Change procedure*

2.5.1 *Scope*

It is necessary to modify the standard from time to time in the light of practical experience and of new technical developments. The change procedure outlined in this section constitutes the usual means by which the Director General undertakes consultation pursuant to PCT Rule 89.2(b) concerning proposals to modify the contents of Annex F (including its Appendices) (“proposals for change”), before deciding whether to promulgate such modifications. The procedures outlined in this section shall also be used as an additional means of information when changes are proposed to other parts of the Administrative Instructions which may have consequences for the technical requirements in this Annex.

2.5.2 *Web site; information list; Consultative Group*

The International Bureau maintains a Web site for the processing of proposals for change. The Web site provides for interested persons to register their e-mail addresses on the e-filing information list of persons who wish to be informed when proposals for change (or other materials relating to PCT electronic filing) are made available on the site.

The national Office of any State, and any PCT Authority, any intergovernmental organization (including any regional Office) and any non-governmental organization, that is invited to participate in meetings of the PCT Assembly may register, via the Web site, to participate in the work of a Consultative Group which considers proposals for change. It is strongly encouraged that the participants nominate as their representatives in the Consultative Group both technical and legal specialists to ensure that proposals for change are fully considered. Participants should preferably register at an early stage in the annual change management cycle outlined in section 2.5.4, below.

National Offices of PCT Contracting States and PCT International Authorities which register to participate in the Consultative Group do so as members, and other participants as observers. All Consultative Group members and observers are also automatically included in the e-filing information list. The International Bureau, as secretariat, coordinates the activities of the Group. Consideration of matters by the Group is informal and takes place via the Web site and e-mail and, where necessary, via other means of telecommunication; meetings of the Group in person are not envisaged.

Consultative Group members and observers are invited to discuss, and make recommendations on, how proposals for change should be handled and, in particular, whether changes should be promulgated and with what effective date, as outlined further below. It is expected that the Group would operate on the basis of consensus.

Consultative Group members and observers shall be informed by the International Bureau of any proposed modifications submitted under the ordinary consultation pursuant to PCT Rule 89.2(b) which include changes to Annex F, or which appear likely to the International Bureau to require consequential changes to Annex F if adopted.

2.5.3 *Proposals for change*

Proposals for change may be submitted to the International Bureau by any Office or Authority entitled to register as a member of the Consultative Group, and may be initiated by the International Bureau. An Office or Authority or the International Bureau may, if it wishes, submit a proposal for change that has been suggested to it by a third party. Proposals for change may be submitted, preferably via the Web site, at any time during the year.

A proposal for change may be modified or withdrawn by the Office or Authority that submitted it. Each proposal for change is published by the International Bureau on the Web site as a “Proposal for Change” (PFC) file to which comments, modifications, etc., are annexed. Exchanges of views on a proposal for change, if not annexed to the PFC file concerned, are stored in an archive accessible via the Web site.

Each proposal for change must set forth the requested modifications of the text and/or figures concerned, a list of items that may be impacted, the reason, including processing or policy issues involved, and the proposed date of implementation, including, if appropriate, a request for expedited handling, and should also, if possible, include a draft implementation (for example, a new XML DTD). It shall preferably also indicate if, in the view of the person making the proposal, the proposal is of a mere technical nature, or of a legal and technical nature.

Consideration of proposals for change would ordinarily proceed under the (standard) annual change management cycle in accordance with section 2.5.4. If needed, generally on request by the proposer, the International Bureau may determine, after consultation with the Consultative Group members and observers, that consideration of a proposal for change should be expedited in accordance with section 2.5.5. It is to be understood that consideration of any proposal for change resulting from a change to a PCT Contracting State’s national law relating to the standards contained in this Annex would be expedited.

2.5.4 *Annual change management cycle*

1. Each proposal for change received by the International Bureau is published on the Web site, forthwith after its receipt, in a PFC file together with an indication that comments on the proposal may be sent to the International Bureau. That publication is promptly notified by e-mail to the e-filing information list.
2. Any comments received from interested parties following the publication and notification of a proposal for change referred to in section 2.5.3 are promptly published on the Web site in the PFC file and notified by e-mail to the e-filing information list.

3. Further consideration of the proposal does not take place until the following February, unless expedited consideration is accorded to the proposal under section 2.5.5.
4. On or promptly after February 15, the International Bureau publishes on the Web site a list of all pending standard proposals for change and references to the relevant PFC files, with an indication that comments may be sent to the International Bureau by March 31, and sends a notification by e-mail to the e-filing information list. The International Bureau also sends a written circular to all PCT Offices and Authorities, interested intergovernmental organizations and certain non-governmental organizations representing users, referring to the Web site, inviting comments by March 31 and advising that paper copies of the proposals for change are available from the International Bureau.
5. Any further comments received by the International Bureau are published, forthwith after their receipt, in the PFC file on the Web site and notified by e-mail to the e-filing information list.
6. Promptly after March 31, the International Bureau invites the Consultative Group members and observers to consider the pending proposals for change and comments, and the Consultative Group members and observers make recommendations to the International Bureau by May 15. The recommendations are published forthwith in the PFC file on the Web site and notified by e-mail to the e-filing information list.
7. Taking into account the comments received and the recommendations of the Consultative Group members and observers, and after any necessary revision, the International Bureau publishes on the Web site, by June 30, modifications intended to come into force on January 1 of the following year or, exceptionally, before that date, and sends a notification by e-mail to the e-filing information list.
8. The usual procedures for promulgation of modifications of the Administrative Instructions apply (written circular and publication in the *PCT Gazette*).
9. If applicable, new or revised requirements of Offices are notified to the International Bureau, as provided for in Section 710 of the Administrative Instructions, for publication in the *PCT Gazette*.

2.5.5 *Expedited consideration of change proposals*

1. At any time, on request or at its own initiative, the International Bureau may decide that a proposal for change should be accorded expedited consideration, even if the proposal for change has so far been treated as standard.

2. Each proposal for change which is accorded expedited consideration is published on the Web site for comment and notified by e-mail to the e-filing information list, as outlined in section 2.5.4, paragraphs 1 and 2, except that comments are invited within six weeks. At the same time as that publication, the International Bureau sends the written circular referred to in section 2.5.4, paragraph 4, inviting comments within six weeks. Any comments received within six weeks are published, forthwith after their receipt, in the PFC file on the Web site and notified by e-mail to the e-filing information list.
3. In parallel to the actions referred to in paragraph 2, the International Bureau invites the Consultative Group members and observers to consider the proposal for change and any subsequent comments received during the six week period referred to in paragraph 2, and to make any recommendation before the end of that six week period, including a recommendation, if applicable, as to the appropriate date of entry into force of the proposed modifications. The recommendations are published forthwith in the PFC file on the Web site and notified by e-mail to the e-filing information list.
4. Taking into account the comments received and the recommendations of the Consultative Group members and observers, and after any necessary revision, the International Bureau publishes the modifications, and their date of entry into force, on the Web site, and sends a notification by e-mail to the e-filing information list.
5. The modifications are promulgated, and any new requirements of Offices are notified and published, as outlined in section 2.5.4, paragraphs 8 and 9.

2.5.6 *Version handling*

Where the practice and the technical systems of the recipient Office so permit, earlier versions of certain aspects of the standard (notably, DTDs and the E-filing interoperability protocol) may operate simultaneously for a limited period of time. Each version should be clearly identified by the appropriate version number.

3. E-PCT SUBMISSION STRUCTURE AND FORMAT

[No change to the introductory text]

3.1 *Allowable electronic document formats*

[No change to the introductory text]

3.1.1 to 3.1.3 [No change]

3.1.4 *Pre-conversion formats*

Documents in pre-conversion format submitted under AIs Section 706(a) or (f) must be included as referenced documents.

For the applicant-Office (international phase) communication sector, receiving Offices shall notify the International Bureau whether they will accept the filing, under AIs Section 706(a) and (f), of documents in pre-conversion format and, if so, which pre-conversion formats they will accept (see AIs Section 710(a)(iv)).

For the purposes of the procedure under AIs Section 706(b), any receiving Office which chooses to accept documents submitted under AIs Section 706(a) or (f) in a pre-conversion format which the International Bureau cannot process must transmit the document concerned to the International Bureau in both an electronic document format which the International Bureau can process and the original pre-conversion format.

3.2 to 3.4 [No change]

4. IA DOCUMENTS PACKAGING

[No change to the introductory text]

4.1 and 4.2 [No change]

4.3 *File naming convention*

[No change to the introductory text]

4.3.1 *Tables*

Tables 1 to 5 [No change]

Table 6

| <i>Document and package types currently accepted for initial ePCT filing</i> | |
|--|-------------|
| <i>Document type</i> | <i>Code</i> |
| record copy (package) | reco |
| home copy (package) | home |
| package header | pkgh |
| package data | pkda |
| request | requ |
| receiving office information | rrri |
| declarations | decl |
| application body | appb |
| fee sheet | fees |
| original separate power of attorney | poat |
| original general power of attorney | gpoa |
| copy of general power of attorney | cgpa |
| statement explaining the lack of signature | lacs |
| priority documents | pdoc |
| translation of application | tapp |
| document in pre-conversion format | dpcf |
| biological deposit | biod |
| sequence listing (ST.25) | seql |

| | |
|---|-----------------------------|
| sequence listing table | seqt |
| table external | tabx |
| record copy | reco |
| home copy | hoco |
| transmission receipt | xmre |
| application receipt list | aprl |
| dispatch list | dspl |
| amendment request | amnd |
| change of bibliographic material | bibc |
| <i>ex-officio</i> correction | exoc |
| correspondence | crsp |
| notification | noti |
| demand | dmnd |
| IPEA demand receiving information | idri |
| fee-sheet-chapter2 | fee2 |
| international search report (ISR) | isre |
| international preliminary examination report (IPER) | iper |
| international search opinion (ISO) | isop |
| translation of international search report | isrt |
| translation of preliminary examination report | ipet |
| translation of international search opinion | isot |
| published application | papp |
| office specific document types | [2-position country code]AA |
| table exceeding fifty printed pages | mtbl |

Tables 7 and 8 [No change]

4.3.2 and 4.3.3 [No change]

5. to 9. [No change]

APPENDICES I TO IV [No change]

INFORMATION ON CONTRACTING STATES

IT Italy

The **Italian Patent and Trademark Office** has notified e-mail and Internet addresses, as follows:

E-mail: info@uibm.gov.it

Internet: www.uibm.gov.it

Furthermore, the Office has notified the discontinuance of the use of its teleprinter.

[Updating of Annex B1(IT) of the *PCT Applicant's Guide*]

FEES PAYABLE UNDER THE PCT

AU Australia

The Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee (PCT Rule 16) in **Swiss francs (CHF)**, payable for an international search carried out by the **Australian Patent Office** for the purposes of certain receiving Offices which have specified the Swiss franc (CHF) as a currency of payment or use the Swiss franc (CHF) as a basis for calculating the equivalent amount in their national currency. The new amount, applicable from 1 July 2008, is CHF 1,483.

[Updating of Annex D(AU) of the *PCT Applicant's Guide*]

CA Canada

IB International Bureau

For the purposes of the payment of fees to the **International Bureau** as receiving Office, new equivalent amounts in **Swiss francs (CHF)** and **euro (EUR)** have been established for the search fee (PCT Rule 16) for an international search carried out by the **Canadian Intellectual Property Office**. These amounts, applicable from 1 July 2008, are CHF 1,587 and EUR 995, respectively.

[Updating of Annex D(CA) of the *PCT Applicant's Guide*]

JP Japan

The Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee (PCT Rule 16) in **US dollars (USD)**, payable for an international search carried out by the **Japan Patent Office** for the purposes of certain receiving Offices which have specified the US dollar (USD) as a currency of payment or use the US dollar (USD) as a basis for calculating the equivalent amount in their national currency. The new amount, applicable from 1 June 2008, is USD 949.

[Updating of Annex D(JP) of the *PCT Applicant's Guide*]

KR Republic of Korea
IB International Bureau

For the purposes of the payment of fees to the **International Bureau** as receiving Office, a new equivalent amount in **euro (EUR)** has been established for the search fee (PCT Rule 16) for an international search carried out by the **Korean Intellectual Property Office**. This amount, applicable from 1 July 2008, is EUR 148.

[Updating of Annex D(KR) of the *PCT Applicant's Guide*]

RU Russian Federation

The Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee (PCT Rule 16) in **Swiss francs (CHF)**, payable for an international search carried out by the **Federal Service for Intellectual Property, Patents and Trademarks** for the purposes of certain receiving Offices which have specified the Swiss franc (CHF) as a currency of payment or use the Swiss franc (CHF) as a basis for calculating the equivalent amount in their national currency. The new amount, applicable from 1 July 2008, is CHF 507.

[Updating of Annex D(RU) of the *PCT Applicant's Guide*]

US United States of America

The Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee (PCT Rule 16) in **Swiss francs (CHF)**, payable for an international search carried out by the **United States Patent and Trademark Office (USPTO)** for the purposes of certain receiving Offices which have specified the Swiss franc (CHF) as a currency of payment or use the Swiss franc (CHF) as a basis for calculating the equivalent amount in their national currency. The new amount, applicable from 1 July 2008, is CHF 1,789.

[Updating of Annex D(US) of the *PCT Applicant's Guide*]

**DEPOSITS OF MICROORGANISMS AND OTHER BIOLOGICAL MATERIAL:
REQUIREMENTS OF DESIGNATED AND ELECTED OFFICES**

EP European Patent Organisation (EPO)

The **European Patent Office (EPO)** has notified changes in its requirements concerning the deposit of microorganisms and other biological material. The consolidated table of requirements reads as follows:

| <p>Time (if any) earlier than 16 months from priority date by which applicant must furnish:</p> | | <p>Additional indications (if any) which must be given besides those prescribed in Rule 13bis.3(a)(i) to (iii) pursuant to notifications from the Offices concerned</p> |
|--|---|--|
| <p>the indications prescribed in Rule 13bis.3(a)(i) to (iii)</p> | <p>any additional matter specified in the adjacent right-hand column</p> | |
| <p>None</p> | <p>At the time of filing</p> | <p>To the extent available to the applicant, relevant information on the characteristics of the biological material</p> |

Deposits may also be made for the purposes of patent procedure before the EPO with FIB and IFO (see further in this Annex). Deposits with CNCM can be made under the Budapest Treaty or, as far as the deposits of cell cultures, mycoplasma and rickettsiae are concerned, under a bilateral agreement with the EPO.

If the applicant wishes that, until the publication of the mention of the grant of a European patent or for 20 years from the date of filing if the application is refused or withdrawn or deemed to be withdrawn, the biological material shall be made available as provided in Rule 33(1) of the European Patent Convention (EPC) only by the issue of a sample to an expert nominated by the requester (Rule 32(1) EPC), the applicant must, by a written statement, inform the International Bureau accordingly before completion of technical preparations for publication of the international application. Such statement must be separate from the description and the claims of the international application and must preferably be made on Form PCT/RO/134, referred to in Section 209 of the Administrative Instructions under the PCT and reproduced in Annex Z of International Phase of the *PCT Applicant's Guide*.

WARNING: Where the invention involves the use of or concerns biological material which is not available to the public at the date of filing the application and which has been deposited by a person other than the applicant, the reference to such a deposit must include the name and address of the depositor and a statement that the latter has authorized the applicant to refer to the deposited biological material in the application and has given his unreserved and irrevocable consent to the deposited material being made available to the public in accordance with Rule 31(1)(d) EPC.

[Updating of Annex L of the *PCT Applicant's Guide*]

DESIGNATED (OR ELECTED) OFFICES

MY Malaysia

Information on the requirements of the **Intellectual Property Corporation of Malaysia** as designated (or elected) Office is given in the Summary of the National Chapter (MY), which is published on the following pages.

SUMMARY

**Designated
(or elected) Office**

SUMMARY

**MY INTELLECTUAL PROPERTY CORPORATION MY
OF MALAYSIA**

Summary of requirements for entry into the national phase

| | |
|--|---|
| Time limits applicable for entry into the national phase: | Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date |
| Translation of international application required into: ¹ | English |
| Required contents of the translation for entry into the national phase: ¹ | Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended, together with any statement under PCT Article 19 ²), any text matter of drawings, abstract Under PCT Article 39(1): Description, claims, any text matter of drawings, abstract (if any of those parts has been amended, both as originally filed and as amended by the annexes to the international preliminary examination report ²) |
| Is a copy of the international application required? | Yes, a copy is required only if the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2) or 40(2). |
| National fee: | Currency: Malaysian ringgit (MYR) Filing fee: ¹ MYR 200 Claim fee for each claim in excess of 10: MYR 10 |
| Exemptions, reductions or refunds of the national fee: | None |
| Special requirements of the Office (PCT Rule 51 <i>bis</i>): | Name and address of the inventor if they have not been furnished in the "Request" part of the international application ^{3,4} Statement justifying the applicant's right to the patent where the applicant is not the inventor ^{3,4} Evidence of entitlement to claim priority where the applicant is not the applicant who filed the earlier application ^{3,4} Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306) ⁴ Appointment of an agent if the applicant is not resident in Malaysia Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form |

[Continued on next page]

¹ Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).

² Where the applicant furnishes a translation of the international application only as amended or only as originally filed, the Office will invite the applicant to furnish the missing translation.

³ This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

⁴ If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit of two months from the date of receipt of the invitation.

SUMMARY

**Designated
(or elected) Office**

SUMMARY

**MY INTELLECTUAL PROPERTY CORPORATION MY
OF MALAYSIA**

[Continued]

Who can act as agent?

Any patent agent registered before the Office

Does the Office accept requests for
restoration of the right of priority
(PCT Rule 49*ter.2*)?

Yes, the Office applies the “unintentional” criterion to such requests



World Intellectual Property Organization

**OFFICIAL NOTICES
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8 May 2008

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INFORMATION ON INTERGOVERNMENTAL ORGANIZATIONS

EA Eurasian Patent Organization (EAPO)

The **Eurasian Patent Office (EAPO)** has notified a change in its location address, which now reads as follows:

5, Staroalekseevskaya, Moscow, Russian Federation.

[Updating of Annex B2(EA) of the *PCT Applicant's Guide*]

FEES PAYABLE UNDER THE PCT

EA Eurasian Patent Organization (EAPO)

The **Eurasian Patent Office (EAPO)** has notified a change to the amount of the fee for the priority document (PCT Rule 17.1(b)), in **Russian roubles (RUR)**, payable to it as receiving Office. This amount is now RUR 1,000.

[Updating of Annex C(EA) of the *PCT Applicant's Guide*]

EP European Patent Organisation (EPO) – Corrigendum

The **European Patent Office (EPO)** has notified omissions in the list of conditions for refund and amounts of refund of the search fee, in **euro (EUR)**, payable to it as International Searching Authority, published in Official Notices (PCT Gazette) of 27 March 2008, pages 33 to 35, and applicable since 1 April 2008. The part of the list indicating the extent to which the search fee for an earlier European search shall be refunded when the EPO benefits from that search in carrying out an international search should read as follows:

- for a European search (EPC Art. 78(2))
(*European application filed on or after 1 July 2005 and search fee paid before 1 April 2006*):

| | |
|-------------------|---------|
| (full benefit) | EUR 960 |
| (partial benefit) | EUR 240 |
- (*European application filed on or after 1 July 2005 and search fee paid between 1 April 2006 and 31 March 2008*):

| | |
|-------------------|-----------|
| (full benefit) | EUR 1,000 |
| (partial benefit) | EUR 250 |
- (*European application filed on or after 1 July 2005 and search fee paid on or after 1 April 2008*):

| | |
|-------------------|------------|
| (full benefit) | EUR 1,050 |
| (partial benefit) | EUR 262.50 |

*(European application filed before
1 July 2005 and search fee paid before
1 April 2006):*

| | | |
|-------------------|-----|--------|
| (full benefit) | EUR | 690 |
| (partial benefit) | EUR | 172.50 |

*(European application filed before
1 July 2005 and search fee paid between
1 April 2006 and 31 March 2008):*

| | | |
|-------------------|-----|-----|
| (full benefit) | EUR | 720 |
| (partial benefit) | EUR | 180 |

*(European application filed before
1 July 2005 and search fee paid on or after
1 April 2008):*

| | | |
|-------------------|-----|-----|
| (full benefit) | EUR | 760 |
| (partial benefit) | EUR | 190 |

[Updating of Annex D(EP) of the *PCT Applicant's Guide*]

The Office has also notified corrections to the components of the national fee, in **euro (EUR)**, payable to it as designated (or elected) Office, as well as to the exemptions, reductions or refunds of several of these components, published in Official Notices (PCT Gazette) of 27 March 2008, pages 35 to 37, and applicable since 1 April 2008. The list of the said components of the national fee, exemptions, reductions or refunds should read as follows:

National fee:

Filing fee:

- where the form for entry into the European phase (EPO Form 1200) is filed online: EUR 100
- where the form for entry into the European phase (EPO Form 1200) is not filed online: EUR 180

Designation fee for each EPO Contracting State designated and for the joint designation of Switzerland and Liechtenstein; paying seven times the amount of this fee is deemed payment for all EPC Contracting States: EUR 85

Extension fee for each extension State (extension of the European patent to Albania, Bosnia and Herzegovina, Serbia or the Former Yugoslav Republic of Macedonia): EUR 102

Claims fee for the 16th and each subsequent claim: EUR 200

Search fee

- for (international) applications filed before 1 July 2005: EUR 760
- for (international) applications filed on or after 1 July 2005: EUR 1,050

Fee for further processing:

- in the event of late payment of a fee: 50% of the relevant fee
- other cases: EUR 210

Fee for late furnishing of a sequence listing: EUR 200

Examination fee:

- for (international) applications filed before 1 July 2005: EUR 1,565
- for (international) applications filed on or after 1 July 2005 for which no supplementary European search report is drawn up: EUR 1,565
- for all other (international) applications filed on or after 1 July 2005: EUR 1,405

Renewal fee for the third year: EUR 400

Exemptions, reductions or refunds of fees:

No search fee is payable

- where the international search report has been established by the EPO,
- where the international application has been filed before 1 July 2005 and the international search report has been established by the Austrian Patent Office, the Spanish Patent and Trademark Office or the Swedish Patent and Registration Office,
- where the international application has been filed between 1 April 2005 and 30 June 2005 and the international search report has been established by the National Board of Patents and Registration of Finland.

The search fee is reduced

- by 20% (international applications filed before 1 July 2005) or
- by EUR 190 (international applications filed on or after 1 July 2005) where the international search report has been established by the Australian Patent Office, the Federal Service for Intellectual Property, Patents and Trademarks (Russian Federation), the Japan Patent Office, the Korean Intellectual Property Office, the State Intellectual Property Office of the People's Republic of China or the United States Patent and Trademark Office.

The search fee is reduced by EUR 890 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.

The examination fee is reduced by 50% where the international preliminary examination report has been established by the EPO.

Furthermore, in certain cases the examination fee is reduced by 20% for language reasons.

[Updating of the National Chapter, Summary (EP), of the *PCT Applicant's Guide*]

DESIGNATED (OR ELECTED) OFFICES

EA Eurasian Patent Organization (EAPO)

The **Eurasian Patent Office (EAPO)** has notified changes in its requirements concerning the contents of the translation for entry into the national phase before it as designated (or elected) Office, applicable since 1 March 2008. The required contents are now as follows:

Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended), any text matter of drawings, abstract

Under PCT Article 39(1): Description, claims, any text matter of drawings, abstract (if any of those parts has been amended, both as originally filed and as amended by the annexes to the international preliminary examination report)

[Updating of the National Chapter, Summary (EA), of the *PCT Applicant's Guide*]



World Intellectual Property Organization

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FEES PAYABLE UNDER THE PCT

AT Austria

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **Korean won (KRW)** has been established for the search fee for an international search carried out by the **Austrian Patent Office**. This amount, applicable from 1 July 2008, is KRW 306,000.

[Updating of Annex D(AT) of the *PCT Applicant's Guide*]

EP European Patent Organisation (EPO)

Pursuant to PCT Rule 16.1(d), new equivalent amounts in **Icelandic kronur (ISK)** and in **South African rand (ZAR)** have been established for the search fee for an international search carried out by the **European Patent Office (EPO)**. These amounts, applicable from 1 July 2008, are ISK 192,000 and ZAR 20,650, respectively.

[Updating of Annex D(EP) of the *PCT Applicant's Guide*]

JP Japan

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **Korean won (KRW)** has been established for the search fee for an international search carried out by the **Japan Patent Office**. This amount, applicable from 1 July 2008, is KRW 924,000.

[Updating of Annex D(JP) of the *PCT Applicant's Guide*]

KR Republic of Korea

Pursuant to PCT Rule 16.1(d), new equivalent amounts in **New Zealand dollars (NZD)** and in **Singapore dollars (SGD)** have been established for the search fee for an international search carried out by the **Korean Intellectual Property Office**. These amounts, applicable from 1 July 2008, are NZD 289 and SGD 320, respectively.

[Updating of Annex D(KR) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
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FEES PAYABLE UNDER THE PCT

RU Russian Federation

The Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee (PCT Rule 16) in **euro (EUR)**, payable for an international search carried out by the **Federal Service for Intellectual Property, Patents and Trademarks (Russian Federation)** for the purposes of certain receiving Offices which have specified the euro (EUR) as a currency of payment or use the euro (EUR) as a basis for calculating the equivalent amount in their national currency. The new amount, applicable from 1 August 2008, is EUR 319.

[Updating of Annex D(RU) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
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Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

**MEETINGS OF THE INTERNATIONAL PATENT COOPERATION UNION –
ASSEMBLY (THIRTY-SEVENTH (21ST EXTRAORDINARY) SESSION)**

NOTE PREPARED BY THE INTERNATIONAL BUREAU

A number of amendments to the Schedule of Fees annexed to the PCT Regulations were approved by the Assembly of the International Patent Cooperation Union (PCT Union) during its thirty-seventh (21st extraordinary) session, which was held in Geneva on 31 March 2008 as part of the meetings of the Assemblies of the Member States of WIPO.

The document prepared for the PCT Assembly is available, and the report of the session will be available shortly, on the WIPO website at:

www.wipo.int/meetings/en/details.jsp?meeting_id=15345

The amendments, which were adopted on 15 May 2008 and will enter into force on 1 July 2008, consist of a 5% reduction in the international filing fee, an increase from 75% to 90% in the reduction available to applicants from certain States, and an extension of the availability of the reduction to applicants from an additional nine States.

The text of the amended Schedule of Fees is reproduced on page 69.

AMENDMENTS OF THE REGULATIONS UNDER THE PCT

(to enter into force on 1 July 2008)

SCHEDULE OF FEES

| Fees | Amounts |
|---|--|
| 1. International filing fee: (Rule 15.2) | 1,330 Swiss francs plus 15 Swiss francs for each sheet of the international application in excess of 30 sheets |
| 2. Handling fee: (Rule 57.2) | 200 Swiss francs |

Reductions

3. The international filing fee is reduced by the following amount if the international application is, as provided for in the Administrative Instructions, filed:

- | | |
|---|------------------|
| (a) on paper together with a copy in electronic form, in character coded format, of the request and the abstract: | 100 Swiss francs |
| (b) in electronic form, the request not being in character coded format: | 100 Swiss francs |
| (c) in electronic form, the request being in character coded format: | 200 Swiss francs |
| (d) in electronic form, the request, description, claims and abstract being in character coded format: | 300 Swiss francs |

4. The international filing fee (where applicable, as reduced under item 3) and the handling fee are reduced by 90% if the international application is filed by:

- (a) an applicant who is a natural person and who is a national of and resides in a State whose per capita national income is below US\$3,000 (according to the average per capita national income figures used by the United Nations for determining its scale of assessments for the contributions payable for the years 1995, 1996 and 1997) or, pending a decision by the PCT Assembly on the eligibility criteria specified in this sub-paragraph, one of the following States: Antigua and Barbuda, Bahrain, Barbados, the Libyan Arab Jamahirriya, Oman, the Seychelles, Singapore, Trinidad and Tobago and the United Arab Emirates; or
- (b) an applicant, whether a natural person or not, who is a national of and resides in a State that is classed as a least developed country by the United Nations;

provided that, if there are several applicants, each must satisfy the criteria set out in either sub-item (a) or (b).

FEES PAYABLE UNDER THE PCT

AU Australia

The Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee (PCT Rule 16) in **US dollars (USD)**, payable for an international search carried out by the **Australian Patent Office** for the purposes of certain receiving Offices which have specified the US dollar (USD) as a currency of payment or use the US dollar (USD) as a basis for calculating the equivalent amount in their national currency. The new amount, applicable from 1 August 2008, is USD 1,514.

[Updating of Annex D(AU) of the *PCT Applicant's Guide*]

EP European Patent Organisation (EPO)

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **US dollars (USD)** has been established for the search fee for an international search carried out by the **European Patent Office (EPO)**. This amount, applicable from 1 August 2008, is USD 2,665.

[Updating of Annex D(EP) of the *PCT Applicant's Guide*]

RECEIVING OFFICES

OM Oman

IB International Bureau

Pursuant to PCT Rule 19.1(b), the **Government of Oman** has notified the International Bureau that it delegates the functions of receiving Office to the **International Bureau** for at least two years.

[Updating of Annex C(IB) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

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FEES PAYABLE UNDER THE PCT

EP European Patent Organisation (EPO)

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **New Zealand dollars (NZD)** has been established for the search fee for an international search carried out by the **European Patent Office (EPO)**. This amount, applicable from 1 August 2008, is NZD 3,395.

[Updating of Annex D(EP) of the *PCT Applicant's Guide*]



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FEES PAYABLE UNDER THE PCT

JP Japan

The **Japan Patent Office** has notified changes relating to several components of the national fee payable to it as designated (or elected) Office, as follows:

National fee:

For patent:

Filing fee:

- international applications for which the time limit for entry into the national phase expires on or after 1 June 2008, and for which the transmittal form (Form 53) is submitted on or after 1 June 2008: JPY 15,000
- international applications for which Form 53 was submitted on or before 31 May 2008, regardless of whether the time limit for entry into the national phase expires on or after 1 June 2008: JPY 16,000
- international applications for which the time limit for entry into the national phase expired on or before 31 May 2008: JPY 16,000

[Updating of the National Chapter, Summary (JP), of the *PCT Applicant's Guide*]

PCT Fees – Establishment of New Equivalent Amounts of Fees

Following the consultations undertaken by the Director General at the thirty-seventh (21st extraordinary) session of the Assembly of the International Patent Cooperation Union (PCT Union), held in Geneva on 31 March 2008, equivalent amounts of the new international filing fee and new equivalent amounts of the fee per sheet over 30, pursuant to PCT Rule 15.2(d), together with new equivalent amounts of the reductions under item 3 of the Schedule of Fees, have been established, with effect from 1 July 2008, in various currencies, as indicated in the table published on pages 75 and 76.

In the said table, the new amounts are distinguished from currently applicable amounts by indicating them in bold print.

[Updating of Annex C of the *PCT Applicant's Guide*]

PCT Fees: New equivalent amounts for the international filing fee (in prescribed currencies)
(applicable from July 1, 2008)

| Country/ Regional Office | Exchange rate in Swiss franc on 31.03.08 | International filing fee Rule 15.2(a) | Fee per sheet in excess of 30 Rule 15.2(a) | E-filing reductions according to Schedule of Fees | | |
|---|--|---------------------------------------|--|---|-------------------|--|
| | | | | Item 3(a) and (b) | Item 3(c) | Item 3(d) |
| Currency | | | | | | |
| Reference currency Swiss franc | | 1'400 1'330 | 15 15 | 100 100 | 200 200 | 300 300 Current amount New amount |
| AT - Austria Euro | 1.5682612794 | 848 848 | 9 10 | 61 64 | n.a. n.a. | n.a. n.a. Current amount New amount |
| AU - Australia Australian dollar | 0.9074769439 | 1'374 1'466 | 15 17 | 98 110 | 196 220 | 295 331 Current amount New amount |
| BE - Belgium Euro | 1.5682612794 | 848 848 | 9 10 | 61 64 | n.a. n.a. | n.a. n.a. Current amount New amount |
| CA - Canada Canadian dollar | 0.9674663863 | 1'261 1'375 | 14 16 | 90 103 | n.a. n.a. | n.a. n.a. Current amount* New amount |
| DE - Germany Euro | 1.5682612794 | 848 848 | 9 10 | 61 64 | 121 128 | 182 191 Current amount New amount |
| DK - Denmark Danish krone | 0.2103039105 | 6'320 6'320 | 70 70 | 450 480 | 900 950 | 1'350 1'430 Current amount New amount |
| EP - European Patent Office Euro | 1.5682612794 | 848 848 | 9 10 | n.a. n.a. | 121 128 | 182 191 Current amount New amount |
| ES - Spain Euro | 1.5682612794 | 848 848 | 9 10 | 61 64 | 121 128 | 182 191 Current amount New amount |
| FI - Finland Euro | 1.5682612794 | 848 848 | 9 10 | n.a. n.a. | 121 128 | 182 191 Current amount New amount |
| FR - France Euro | 1.5682612794 | 848 848 | 9 10 | 61 64 | 121 128 | 182 191 Current amount New amount |
| GB - United Kingdom Pound sterling | 1.9709226869 | 647 675 | 7 8 | 46 51 | 92 101 | 139 152 Current amount** New amount |
| GR - Greece Euro | 1.5682612794 | 848 848 | 9 10 | 61 64 | n.a. n.a. | n.a. n.a. Current amount New amount |
| IB - International Bureau Swiss franc Euro US dollar | | *** *** *** | *** *** *** | *** *** *** | *** *** *** | *** *** *** 271 302 Current amount* New amount |

* Amounts applicable as from May 15, 2008.

** Amounts applicable as from May 1, 2008.

*** The corresponding equivalent amounts are indicated above for the Swiss franc and the Euro and below for the US dollar.

PCT Fees: New equivalent amounts for the international filing fee (in prescribed currencies)
(applicable from July 1, 2008)

| Country/ Regional Office Currency | Exchange rate in Swiss franc on 31.03.08 | International filing fee Rule 15.2(a) | Fee per sheet in excess of 30 Rule 15.2(a) | E-filing reductions according to Schedule of Fees | | | |
|--|--|--|--|---|----------------|--------------------|---------------------------------|
| | | | | Item 3(a) and (b) | Item 3(c) | Item 3(d) | |
| Reference currency Swiss franc | | 1'400 1'330 | 15 15 | 100 100 | 200 200 | 300 300 | Current amount New amount |
| IE - Ireland Euro | 1.5682612794 | 848 848 | 9 10 | 61 64 | n.a. n.a. | n.a. n.a. | Current amount New amount |
| IS - Iceland Icelandic krona | 0.0131112469 | 85'100 101'400 | 900 1'100 | 6'100 7'600 | n.a. n.a. | n.a. n.a. | Current amount* New amount |
| IT - Italy Euro | 1.5682612794 | 848 848 | 9 10 | n.a. n.a. | n.a. n.a. | n.a. n.a. | Current amount New amount |
| JP - Japan Japanese yen | 0.0099666578 | 137'000 133'400 | 1'500 1'500 | 9'800 10'000 | n.a. n.a. | 29'400 30'100 | Current amount New amount |
| KR - Republic of Korea Korean won | 0.0010019659 | 1'221'000 1'327'000 | 13'000 15'000 | 87'000 100'000 | n.a. n.a. | 262'000 299'000 | Current amount** New amount |
| LU - Luxembourg Euro | 1.5682612794 | 848 848 | 9 10 | n.a. n.a. | n.a. n.a. | n.a. n.a. | Current amount New amount |
| MW - Malawi Malawian kwacha | 0.0072895800 | 166'800 182'500 | 1'800 2'100 | 11'900 13'700 | n.a. n.a. | n.a. n.a. | Current amount New amount |
| NL - Netherlands Euro | 1.5682612794 | 848 848 | 9 10 | 61 64 | 121 128 | 182 191 | Current amount New amount |
| NO - Norway Norwegian krone | 0.1950327169 | 6'590 6'820 | 70 80 | 470 510 | n.a. n.a. | n.a. n.a. | Current amount New amount |
| NZ - New Zealand New Zealand dollar | 0.7806751918 | 1'597 1'704 | 17 19 | 114 128 | n.a. n.a. | n.a. n.a. | Current amount New amount |
| PT - Portugal Euro | 1.5682612794 | 848 848 | 9 10 | 61 64 | n.a. n.a. | n.a. n.a. | Current amount New amount |
| SE - Sweden Swedish krona | 0.1671770942 | 7'780 7'960 | 80 90 | 560 600 | 1'110 1'200 | 1'670 1'790 | Current amount New amount |
| SG - Singapore Singapore dollar | 0.7209389057 | 1'790 1'845 | 19 21 | 128 139 | n.a. n.a. | n.a. n.a. | Current amount New amount |
| US - United States of America US dollar | 0.9939583770 | 1'263 1'338 | 14 15 | 90 101 | 180 201 | n.a. n.a. | Current amount* New amount |
| ZA - South Africa South African rand | 0.1224791255 | 9'810 10'860 | 110 120 | 700 820 | n.a. n.a. | n.a. n.a. | Current amount*** New amount |

* Amounts applicable as from May 15, 2008.

** Amounts applicable as from May 1, 2008.

*** Amounts applicable as from June 1, 2008.



World Intellectual Property Organization

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**INTERNATIONAL SEARCHING AUTHORITIES
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES**

FI Finland

Agreement between the National Board of Patents and Registration of Finland and the International Bureau of the World Intellectual Property Organization¹ – Amendment to Annex C

The **National Board of Patents and Registration of Finland** has notified the International Bureau, in accordance with Article 11(3)(ii) of the above-mentioned Agreement, of amendments to Part I of Annex C thereof. These amendments will enter into force on 1 July 2008. The amended Annex C will read as follows:

**“Annex C
Fees and Charges**

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (Euro) |
|--|--------------------------|
| Search fee (Rule 16.1(a)) | 1,700 |
| Additional fee (Rule 40.2(a)) | 1,700 |
| Preliminary examination fee (Rule 58.1(b)) | [No change] |
| Additional fee (Rule 68.3(a)) | [No change] |
| Cost of copies (Rules 44.3(b), 71.2(b) and 94.2), per page | [No change] |

Part II. [No change]”

FEES PAYABLE UNDER THE PCT

ES Spain

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **US dollars (USD)** has been established for the search fee for an international search carried out by the **Spanish Patent and Trademark Office**. This amount, applicable from 1 August 2008, is USD 2,665.

[Updating of Annex D(ES) of the *PCT Applicant’s Guide*]

¹ Available on the WIPO website at: www.wipo.int/export/sites/www/pct/en/texts/agreements/ag_fi.pdf.

FI Finland

The **National Board of Patents and Registration of Finland** has notified new amounts of the search fee (PCT Rule 16.1(a)) and of the additional search fee (PCT Rule 40.2(a)), in **euro (EUR)**, payable to it as International Searching Authority. These amounts, applicable from 1 July 2008, are EUR 1,700 for each of the fees.

Furthermore, pursuant to PCT Rule 16.1(b), new equivalent amounts in **Swiss francs (CHF)** and **US dollars (USD)** have been established for the search fee for an international search carried out by the Office. These amounts, applicable from 1 July 2008, are CHF 2,726 and USD 2,496, respectively.

In addition, pursuant to PCT Rule 16.1(d), the equivalent amount of the search fee in **US dollars (USD)** will be USD 2,665 from 1 August 2008.

[Updating of Annex D(FI) of the *PCT Applicant's Guide*]

SE Sweden

The **Swedish Patent and Registration Office** has notified the International Bureau of a new equivalent amount of the search fee in **Icelandic kronur (ISK)**, payable for an international search carried out by the Office. This amount, applicable from 1 July 2008, is ISK 192,000.

[Updating of Annex D(SE) of the *PCT Applicant's Guide*]

DEPOSITS OF MICROORGANISMS AND OTHER BIOLOGICAL MATERIAL: REQUIREMENTS OF DESIGNATED AND ELECTED OFFICES

SV El Salvador

The **National Center of Registries** has notified its requirements concerning the deposit of microorganisms and other biological material, as follows:

| <p>Time (if any) earlier than 16 months from priority date by which applicant must furnish:</p> | | <p>Additional indications (if any) which must be given besides those prescribed in Rule 13bis.3(a)(i) to (iii) pursuant to notifications from the Offices concerned</p> |
|--|---|--|
| <p>the indications prescribed in Rule 13bis.3(a)(i) to (iii)</p> | <p>any additional matter specified in the adjacent right-hand column</p> | |
| <p>None</p> | <p>None</p> | <p>To the extent available to the applicant, a description of the characteristics and an indication of the usefulness of the micro-organism and/or other biological material</p> |

Deposits may also be made for the purposes of patent procedure before the National Center of Registries with any depositary institution having acquired the status of international depositary authority under the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure.

[Updating of Annex L of the *PCT Applicant's Guide*]

INFORMATION ON CONTRACTING STATES RECEIVING OFFICES

SV El Salvador

General information on **El Salvador** as a Contracting State, as well as information on the requirements of the **National Center of Registries** as receiving Office, is given in Annexes B1(SV) and C(SV), which are published on the following pages.

B1

Information on Contracting States

B1

SV

EL SALVADOR

SV

General information

| | |
|---|---|
| Name of Office: | Centro Nacional de Registros National Center of Registries |
| Location and mailing address: | 1ª Calle Poniente y 43 Avenida Norte Número 2310, San Salvador, El Salvador |
| Telephone: | (503) 22 618 607, 22 618 602 |
| Facsimile machine: | (503) 22 607 916 |
| E-mail: | propiedad.intelectual@cnr.gob.sv |
| Internet: | www.cnr.gob.sv |
| Does the Office accept the filing of documents by means of telecommunication (PCT Rule 92.4)? | No |
| Would the Office accept evidence of mailing a document, in case of loss or delay, where a delivery service other than the postal authorities is used (PCT Rule 82.1)? | No |
| Competent receiving Office for nationals and residents of El Salvador: | National Center of Registries or International Bureau of WIPO, at the choice of the applicant (see Annex C) |
| Competent designated (or elected) Office if El Salvador is designated (or elected): | National Center of Registries (see National Phase) |
| May El Salvador be elected? | Yes (bound by Chapter II of the PCT) |
| Types of protection available via the PCT: | Patents, utility models |
| Provisions of the law of El Salvador concerning international-type search: | None |
| Provisional protection after international publication: | None |

Information of interest if El Salvador is designated (or elected)

| | |
|---|--|
| Time when the name and address of the inventor must be given if El Salvador is designated (or elected): | May be in the request or may be furnished later. If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit of two months from the date of the invitation. |
| Are there special provisions concerning the deposit of microorganisms and other biological material? | Yes (see Annex L) |

C **Receiving Offices** **C**
SV **NATIONAL CENTER OF REGISTRIES** **SV**

| | |
|--|--|
| Competent receiving Office for nationals and residents of: | El Salvador |
| Language in which international applications may be filed: | Spanish ¹ |
| Number of copies on paper required by the receiving Office: | 3 |
| Does the receiving Office accept the filing of international applications with requests in PCT-EASY format? ² | Yes |
| Does the receiving Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)? | Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests |
| Competent International Searching Authority: | European Patent Office or Spanish Patent and Trademark Office |
| Competent International Preliminary Examining Authority: | European Patent Office or Spanish Patent and Trademark Office |
| Fees payable to the receiving Office: | Currency: US dollar (USD) |
| Transmittal fee: | USD 200 |
| International filing fee: ³ | USD 1,263 (1,338) ⁴ |
| Fee per sheet in excess of 30: ³ | USD 14 (15) ⁴ |
| Reductions (under Schedule of Fees, item 3): | |
| PCT-EASY: ² | USD 90 (101) ⁴ |
| Search fee: | See Annex D(EP) or (ES) |
| Fee for priority document (PCT Rule 17.1(b)): | USD 30 |
| Is an agent required by the receiving Office? | No, if the applicant resides in El Salvador Yes, if he is a non-resident |
| Who can act as agent? | Any attorney registered in El Salvador |
| Waiver of power of attorney: | |
| Has the Office waived the requirement that a separate power of attorney be submitted? | No |
| Has the Office waived the requirement that a copy of a general power of attorney be submitted? | No |

¹ Depending on the applicant's choice of competent International Searching Authority, a translation into a corresponding language (see Annex D) may have to be furnished by the applicant (PCT Rule 12.3).

² Where the request is filed in PCT-EASY format together with a PCT-EASY diskette and the receiving Office accepts such filings, the total amount of the international filing fee is reduced (see *PCT Gazette* No. 51/1998, pages 17330 and 17332, and No. 41/2006, page 19092, Schedule of Fees, item 3(a)).

³ This fee is reduced by 75% if certain conditions apply (see corresponding footnote to Annex C(IB)). For further details, see *PCT Gazette* No. 41/2006, page 19092, Schedule of Fees, item 4.

⁴ The amount in parentheses is applicable as from 1 July 2008.



World Intellectual Property Organization

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MODIFICATIONS OF THE ADMINISTRATIVE INSTRUCTIONS UNDER THE PCT

NOTE PREPARED BY THE INTERNATIONAL BUREAU

Following consultation with interested Offices and Authorities pursuant to PCT Rule 89.2(b), new Section 337 has been included in the Administrative Instructions under the PCT and is promulgated, as set out below, with effect from 1 July 2008.

Section 337 clarifies that the receiving Office is to transmit to the International Searching Authority any copy of the results of an earlier search which that Office has received from, or prepared on request of, the applicant, and will apply to international applications filed on or after 1 July 2008.

The consolidated text of the main body of the Administrative Instructions (PCT/AI/7) is available on the WIPO website.

TEXT OF THE ADMINISTRATIVE INSTRUCTIONS

Section 337 Transmittal of copy of results of earlier search

Where the applicant has

(i) submitted a copy of the results of an earlier search to the receiving Office under Rule 12*bis*.1(a) together with the international application; or

(ii) requested the receiving Office under Rule 12*bis*.1(c) to prepare and transmit a copy of the results of the earlier search, a copy of the earlier application concerned and/or a copy of any document cited in the results of the earlier search;

the receiving Office shall promptly transmit any such copy to the International Searching Authority, preferably together with the search copy.

**INTERNATIONAL SEARCHING AUTHORITIES
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES**

AT Austria

Agreement between the Federal Minister of Transport, Innovation and Technology of the Republic of Austria and the International Bureau of the World Intellectual Property Organization¹ – Amendment to Annex C

The **Director General of the World Intellectual Property Organization** and the **President of the Austrian Patent Office**, in accordance with Article 11(2) of the above-mentioned Agreement, have agreed to an amendment of Part II of Annex C thereof. This amendment will enter into force on 1 July 2008. The amended Annex C will read as follows:

**“Annex C
Fees and Charges**

Part I. [No change]

Part II. Conditions for and Extent of Refunds or Reductions of Fees

(1) and (2) [No change]

(3) Where an international application claims the priority of an earlier international application and where the Austrian Patent Office acting as International Searching Authority has established the international search report for this earlier international application, and where the Authority benefits from this earlier search to the full extent or to a substantially prevailing portion, 75% of the search fee shall be refunded.

(4) and (5) [No change]”

EP European Patent Organisation (EPO)

Agreement between the European Patent Organisation and the International Bureau of the World Intellectual Property Organization² – Amendment to Annex C

The **European Patent Organisation (EPO)** has notified the International Bureau, in accordance with Article 11(3)(ii) of the above-mentioned Agreement, of an amendment to footnote 2 in Part I of Annex C thereof. This amendment will enter into force on 1 July 2008. The amended footnote will read as follows:

“This fee is reduced by 75% under certain conditions (see decision of the EPO’s Administrative Council of October 11, 2000 (OJ EPO 2000, 446)).”

¹ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_at.pdf.

² Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_ep.pdf.

JP Japan

Agreement between the Japan Patent Office and the International Bureau of the World Intellectual Property Organization³ – Amendment to Annex C

The **Director General of the World Intellectual Property Organization** and the **Commissioner of the Japan Patent Office**, in accordance with Article 11(2) of the above-mentioned Agreement, have agreed to an amendment of Part II of Annex C thereof. This amendment will enter into force on 1 July 2008. The amended Annex C will read as follows:

**“Annex C
Fees and Charges**

Part I. [No change]

Part II. Conditions for and Extent of Refunds or Reductions of Fees

(1) [No change]

(2) The amount of 41,000 Japanese yen shall be refunded upon request where the Authority benefits from one of the following earlier searches to a considerable extent:

- (i) where the international application claims the priority of an earlier international application which has been the subject of an international search made by the Authority, the international search of the earlier international application;
- (ii) the earlier search of a Japanese national application for a patent or for a utility model registration which was filed by the same applicant as that of the international application.

(3) and (4) [No change]”

KR Republic of Korea

Agreement between the Korean Intellectual Property Office and the International Bureau of the World Intellectual Property Organization⁴ – Amendment to Annex C

The **Director General of the World Intellectual Property Organization** and the **Commissioner of the Korean Intellectual Property Office**, in accordance with Article 11(2) of the above-mentioned Agreement, have agreed to an amendment of Part II of Annex C thereof. This amendment will enter into force on 1 July 2008. The amended Annex C will read as follows:

³ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_jp.pdf.

⁴ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_kr.pdf.

**“Annex C
Fees and Charges**

Part I. [No change]

Part II. Conditions for and Extent of Refunds or Reductions of Fees

(1) and (2) [No change]

(3) Where the Authority benefits from an earlier search already made by the Authority, 75% of the search fee paid shall be refunded upon request by the applicant.

(4) and (5) [No change]”

FEES PAYABLE UNDER THE PCT

AT Austria

The **Austrian Patent Office** has notified a change to the conditions for refund and amount of refund of the search fee payable for an international search carried out by the Office, applicable from 1 July 2008. The part which currently reads: “Where the Authority benefits from an earlier search to the full extent or to a substantially prevailing portion: refund of 75%” will be replaced as follows:

“Where the international application claims the priority of an earlier international application and where the Austrian Patent Office acting as International Searching Authority has established the international search report for this earlier international application, and where the Authority benefits from this earlier search to the full extent or to a substantially prevailing portion: refund of 75%.”

[Updating of Annex D(AT) of the *PCT Applicant’s Guide*]

AU Australia

The Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee (PCT Rule 16) in **Swiss francs (CHF)**, payable for an international search carried out by the **Australian Patent Office** for the purposes of certain receiving Offices which have specified the Swiss franc (CHF) as a currency of payment or use the Swiss franc (CHF) as a basis for calculating the equivalent amount in their national currency. The new amount, applicable from 1 September 2008, is CHF 1,594.

[Updating of Annex D(AU) of the *PCT Applicant’s Guide*]

IB International Bureau

For the purposes of the **International Bureau** as receiving Office, new equivalent amounts of fees in **euro (EUR)** and in **US dollars (USD)** have been established. These amounts, applicable from 1 July 2008, are as follows:

| | | | |
|--|-------------------------|----|---------|
| Transmittal fee: | EUR 64 | or | USD 101 |
| Fee for priority document (PCT Rules 17.1(b) and 21.2): | EUR 32 | or | USD 50 |
| | Supplement for airmail: | | |
| | EUR [no change] | or | USD 10 |

[Updating of Annex C(IB) of the *PCT Applicant's Guide*]

IL Israel

The **Israel Patent Office** has notified new amounts of fees, in **new Israel shekels (ILS)**, payable to it as receiving Office (transmittal fee and fee for priority document) and as designated (or elected) Office (national filing fee). These amounts, applicable from 1 July 2008, are ILS 503, ILS 80 and ILS 964, respectively.

[Updating of Annex C(IL) and of the National Chapter, Summary (IL), of the *PCT Applicant's Guide*]

JP Japan

The **Japan Patent Office** has notified a change to the conditions for refund and amount of refund of the search fee payable for an international search carried out by the Office, applicable from 1 July 2008. The part which currently reads: "Where the Authority benefits from an earlier search to a considerable extent: refund of JPY 41,000, upon request" will be replaced as follows:

"Refund of JPY 41,000 upon request where the Authority benefits from one of the following earlier searches to a considerable extent:

- (i) where the international application claims the priority of an earlier international application which has been the subject of an international search made by the Authority, the international search of the earlier international application;
- (ii) the earlier search of a Japanese national application for a patent or for a utility model registration which was filed by the same applicant as that of the international application."

[Updating of Annex D(JP) of the *PCT Applicant's Guide*]

KR Republic of Korea

The **Korean Intellectual Property Office** has notified a change to the conditions for refund and amount of refund of the search fee payable for an international search carried out by the Office, applicable from 1 July 2008. The part which currently reads: “Where the Authority benefits from an earlier search: refund of 75%” will be replaced as follows:

“Where the Authority benefits from an earlier search already made by the Authority: refund of 75% upon request by the applicant.”

[Updating of Annex D(KR) of the *PCT Applicant's Guide*]

ZA South Africa

New equivalent amounts in **South African rand (ZAR)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for one of the reductions under item 3 of the PCT Schedule of Fees. These amounts, applicable from 1 September 2008, are as follows:

| | |
|---|-----------|
| International filing fee: | ZAR 9,510 |
| Fee per sheet in excess of 30: | ZAR 110 |
| Reduction (under PCT Schedule of Fees, item 3): | |
| PCT-EASY: | ZAR 720 |

[Updating of Annex C(ZA) of the *PCT Applicant's Guide*]

FILING AND PROCESSING IN ELECTRONIC FORM OF INTERNATIONAL APPLICATIONS: NOTIFICATION BY RECEIVING OFFICES

DK Denmark

Following the promulgation of modifications to Sections 706 and 710 of the Administrative Instructions under the PCT with effect from 1 July 2008 (see Official Notices (PCT Gazette) of 24 April 2008, pages 45 *et seq.*), the **Danish Patent and Trademark Office**, in its capacity as receiving Office, has notified the International Bureau of the replacement with effect from 1 July 2008, in its notification pertaining to the filing and processing in electronic form of international applications (see PCT Gazette No. 35/2005, pages 22816 *et seq.*), of the part relating to the filing of backup copies by the following text relating to the filing of documents in pre-conversion format:

“As to the filing of documents in pre-conversion format (Section 710(a)(iv)):

The Office will accept filing of documents in any pre-conversion format together with the international application.”

EP European Patent Organisation (EPO)

Following the promulgation of modifications to Sections 706 and 710 of the Administrative Instructions under the PCT with effect from 1 July 2008 (see Official Notices (PCT Gazette) of 24 April 2008, pages 45 *et seq.*), the **European Patent Office (EPO)**, in its capacity as receiving Office, has notified the International Bureau of the replacement with effect from 1 July 2008, in its first notification pertaining to the filing and processing in electronic form of international applications (see PCT Gazette No. 47/2002, pages 23832 *et seq.*), of the part relating to the filing of backup copies by the following text relating to the filing of documents in pre-conversion format:

“As to the filing of documents in pre-conversion format (Section 710(a)(iv)):

The Office will accept the filing of documents in pre-conversion format under Section 706(a) and (f) of the Administrative Instructions under the conditions set out in Article 3 of the Decision of the President of the EPO dated 12 July 2007 (Special Edition No. 3 OJ EPO 2007, 17).

In particular, the files should be archived in ZIP format and contain either plain ASCII text or be created with one of the following word processing programs:

- Microsoft Word 97 and later releases
- Corel WordPerfect 6.1, 8 & 10 and later releases
- Writer of OpenOffice 2.0 and later releases (including the corresponding StarOffice products)

Any objects originating from other programs may be embedded into documents being generated by the word processing programs mentioned above as long as they can be viewed without loss of the information being contained in these objects.

Documents in a format other than those mentioned above may be attached in that format only if the applicant informs the EPO at the time of filing where it can within reason acquire the relevant software.”

IB International Bureau

Following the promulgation of modifications to Sections 706 and 710 of the Administrative Instructions under the PCT with effect from 1 July 2008 (see Official Notices (PCT Gazette) of 24 April 2008, pages 45 *et seq.*), the **International Bureau of WIPO**, in its capacity as receiving Office, has notified the replacement with effect from 1 July 2008, in its first notification pertaining to the filing and processing in electronic form of international applications (see PCT Gazette No. 34/2003, pages 19248 *et seq.*), of the part relating to the filing of backup copies by the following text relating to the filing of documents in pre-conversion format:

“As to the filing of documents in pre-conversion format (Section 710(a)(iv)):

The Office will accept filing of documents in any pre-conversion format together with the international application.”

JP Japan

Following the promulgation of modifications to Sections 706 and 710 of the Administrative Instructions under the PCT with effect from 1 July 2008 (see Official Notices (PCT Gazette) of 24 April 2008, pages 45 *et seq.*), the **Japan Patent Office**, in its capacity as receiving Office, has notified the International Bureau of the replacement with effect from 1 July 2008, in its notification pertaining to the filing and processing in electronic form of international applications (see PCT Gazette No. 50/2006, pages 19184 *et seq.*), of the part relating to the filing of backup copies by the following text relating to the filing of documents in pre-conversion format:

“As to the filing of documents in pre-conversion format (Section 710(a)(iv)):

The Office will accept no filing of documents in pre-conversion format together with the international application.”

MY Malaysia

Following the promulgation of modifications to Sections 706 and 710 of the Administrative Instructions under the PCT with effect from 1 July 2008 (see Official Notices (PCT Gazette) of 24 April 2008, pages 45 *et seq.*), the **Intellectual Property Corporation of Malaysia**, in its capacity as receiving Office, has notified the International Bureau of the replacement with effect from 1 July 2008, in its notification pertaining to the filing and processing in electronic form of international applications (see PCT Gazette No. 44/2006, pages 19118 *et seq.*), of the part relating to the filing of backup copies by the following text relating to the filing of documents in pre-conversion format:

“As to the filing of documents in pre-conversion format (Section 710(a)(iv)):

The Office will accept filing of documents in any pre-conversion format together with the international application.”

SE Sweden

Following the promulgation of modifications to Sections 706 and 710 of the Administrative Instructions under the PCT with effect from 1 July 2008 (see Official Notices (PCT Gazette) of 24 April 2008, pages 45 *et seq.*), the **Swedish Patent and Registration Office**, in its capacity as receiving Office, has notified the International Bureau of the replacement with effect from 1 July 2008, in its notification pertaining to the filing and processing in electronic form of international applications (see PCT Gazette No. 47/2005, pages 31398 *et seq.*), of the part relating to the filing of backup copies by the following text relating to the filing of documents in pre-conversion format:

“As to the filing of documents in pre-conversion format (Section 710(a)(iv)):

The Office will accept filing of documents in any pre-conversion format together with the international application.”

SK Slovakia

Following the promulgation of modifications to Sections 706 and 710 of the Administrative Instructions under the PCT with effect from 1 July 2008 (see Official Notices (PCT Gazette) of 24 April 2008, pages 45 *et seq.*), the **Industrial Property Office**, in its capacity as receiving Office, has notified the International Bureau of the replacement with effect from 1 July 2008, in its notification pertaining to the filing and processing in electronic form of international applications (see PCT Gazette No. 46/2005, pages 30684 *et seq.*), of the part relating to the filing of backup copies by the following text relating to the filing of documents in pre-conversion format:

“As to the filing of documents in pre-conversion format (Section 710(a)(iv)):

The Office will accept filing of documents in any pre-conversion format together with the international application.”

WITHDRAWAL OF NOTIFICATIONS BY DESIGNATED OFFICES OF INCOMPATIBILITY OF PCT ARTICLE 22(1) WITH NATIONAL LAWS

CH Switzerland

Further to its notification of incompatibility of PCT Article 22(1) with its national law (see PCT Gazette No. 08/2002, page 3886), the **Swiss Federal Institute of Intellectual Property**, in its capacity as designated Office, has notified the International Bureau that it withdraws the said notification with effect from 1 July 2008.

The new time limit under PCT Article 22(1) will be 30 months from the priority date.

[Updating of the National Chapter, Summary (CH), of the *PCT Applicant's Guide*]

WITHDRAWAL OF NOTIFICATIONS BY DESIGNATED OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 51bis.1(f)

CH Switzerland

Further to its notification of incompatibility with its national law under PCT Rule 51bis.1(f) (see PCT Gazette No. 05/2001, page 2024), the **Swiss Federal Institute of Intellectual Property**, in its capacity as designated Office, has notified the International Bureau that it withdraws the said notification with effect from 1 July 2008. PCT Rule 51bis.1(e) will therefore apply from that date.

[Updating of the National Chapter, Summary (CH), of the *PCT Applicant's Guide*]

WITHDRAWAL OF NOTIFICATIONS BY DESIGNATED (OR ELECTED) OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 51bis.2(c)

CH Switzerland

Further to its notification of incompatibility with its national law under PCT Rule 51bis.2(c) (see PCT Gazette No. 05/2001, pages 2024 and 2026), the **Swiss Federal Institute of Intellectual Property**, in its capacity as designated (or elected) Office, has notified the International Bureau that it withdraws the said notification with effect from 1 July 2008. PCT Rule 51bis.2(a)(i), (ii) and (iii) will therefore apply from that date.

[Updating of the National Chapter, Summary (CH), of the *PCT Applicant's Guide*]

WITHDRAWAL OF NOTIFICATIONS BY DESIGNATED OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 51bis.3(c)

CH Switzerland

Further to its notification of incompatibility with its national law under PCT Rule 51bis.3(c) (see PCT Gazette No. 05/2001, page 2026), the **Swiss Federal Institute of Intellectual Property**, in its capacity as designated Office, has notified the International Bureau that it withdraws the said notification with effect from 1 July 2008. PCT Rule 51bis.3(a) will therefore apply from that date.

[Updating of the National Chapter, Summary (CH), of the *PCT Applicant's Guide*]



World Intellectual Property Organization

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FEES PAYABLE UNDER THE PCT

AU Australia

New equivalent amounts in **Australian dollars (AUD)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for reductions under item 3 of the Schedule of Fees. These amounts, applicable from 15 September 2008, are as follows:

| | |
|--|-----------|
| International filing fee: | AUD 1,353 |
| Fee per sheet in excess of 30: | AUD 15 |
| Reductions (under Schedule of Fees, item 3): | |
| PCT-EASY: | AUD 102 |
| Electronic filing (the request in character coded format): | AUD 204 |
| Electronic filing (the request, description, claims and abstract in character coded format): | AUD 305 |

[Updating of Annex C(AU) of the *PCT Applicant's Guide*]

CA Canada

New equivalent amounts in **Canadian dollars (CAD)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for one of the reductions under item 3 of the PCT Schedule of Fees. These amounts, applicable from 15 September 2008, are as follows:

| | |
|---|-----------|
| International filing fee: | CAD 1,289 |
| Fee per sheet in excess of 30: | CAD 15 |
| Reduction (under PCT Schedule of Fees, item 3): | |
| PCT-EASY: | CAD 97 |

[Updating of Annex C(CA) of the *PCT Applicant's Guide*]



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FEES PAYABLE UNDER THE PCT

MZ Mozambique

The **Industrial Property Institute** informed the International Bureau that, on 1 July 2006, the currency unit in Mozambique was revalued at a rate of 1000:1, which effectively removed three zeros from the fee amounts. The amounts of fees, in **Mozambican meticals (MZM)**, payable to the Office as designated (or elected) Office, and applicable since the same date, are as follows:

National fee:

For patent:

| | |
|---------------------------------|-----------|
| Filing fee: | MZM 4,300 |
| Annual fee for the first year: | MZM 750 |
| Annual fee for the second year: | MZM 1,050 |

For utility model:

| | |
|---|---------|
| Filing fee: | MZM 750 |
| Annual fee for the first and second year, per year: | MZM 750 |

[Updating of the National Chapter, Summary (MZ), of the *PCT Applicant's Guide*]

INFORMATION ON CONTRACTING STATES RECEIVING OFFICES

MT Malta

General information on **Malta** as a Contracting State, as well as information on the requirements of the **Industrial Property Registrations Directorate, Commerce Division, Ministry of Finance, Economy and Investment** as receiving Office, is given in Annexes B1(MT) and C(MT), which are published on the following pages.

B1

Information on Contracting States

B1

MT

MALTA

MT

General information

| | |
|---|--|
| Name of Office: | Industrial Property Registrations Directorate, Commerce Division, Ministry of Finance, Economy and Investment |
| Location and mailing address: | Lascaris, Valletta, VLT 2000, Malta |
| Telephone: | (356) 2569 0230 |
| Facsimile machine: | (356) 2569 0338 |
| E-mail: | ipoffice@gov.mt |
| Internet: | www.mcmp.gov.mt/commerce_industrialproperty.asp |
| Does the Office accept the filing of documents by means of telecommunication (PCT Rule 92.4)? | No |
| Would the Office accept evidence of mailing a document, in case of loss or delay, where a delivery service other than the postal authorities is used (PCT Rule 82.1)? | Yes |
| Competent receiving Office for nationals and residents of Malta: | Industrial Property Registrations Directorate, Commerce Division, Ministry of Finance, Economy and Investment, European Patent Office (EPO) or International Bureau of WIPO, at the choice of the applicant (see Annex C) |
| Competent designated (or elected) Office if Malta is designated (or elected): | European Patent Office (EPO) (see National Phase) |
| May Malta be elected? | Yes (bound by Chapter II of the PCT) |
| Types of protection available via the PCT: | European patents |
| Provisions of the law of Malta concerning international-type search: | None |
| Provisional protection after international publication: | Where the designation is made for the purposes of a European patent (see European Patent Convention Articles 67, 150 and 158) and: (1) the international application is published in one of the EPO official languages: this gives the applicant the right to seek compensation reasonable in the circumstances for any infringement; or (2) the international application is published in a language which is not an EPO official language: then the protection referred to in paragraph (1) does not become effective until the EPO publishes the international application supplied to it in one of its official languages. |

**Information of interest if Malta is designated (or elected)
See European Patent Organisation (EP) in Annex B2**

C **Receiving Offices** **C**

MT **INDUSTRIAL PROPERTY REGISTRATIONS** **MT**

DIRECTORATE, COMMERCE DIVISION,

MINISTRY OF FINANCE, ECONOMY

AND INVESTMENT

| | |
|--|---|
| Competent receiving Office for nationals and residents of: | Malta |
| Language in which international applications may be filed: | English |
| Language in which the request may be filed: | English |
| Number of copies required by the receiving Office: | 1 |
| Does the receiving Office accept the filing of international applications with requests in PCT-EASY format? ¹ | Yes |
| Types of physical media accepted by the receiving Office: | CD-R, DVD-R |
| Does the receiving Office accept the filing of international applications in electronic form? | No, the Office only accepts PCT-EASY format |
| Does the receiving Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)? | Yes, the Office applies both the “unintentional” and the “due care” criteria to such requests |
| Competent International Searching Authority: | European Patent Office |
| Competent International Preliminary Examining Authority: | European Patent Office |
| Fees payable to the receiving Office: | Currency: Euro (EUR) |
| Transmittal fee: | EUR 55 |
| International filing fee: | EUR 848 |
| Fee per sheet in excess of 30: | EUR 10 |
| Reductions (under Schedule of Fees, item 3): | |
| PCT-EASY: ¹ | EUR 64 |
| Search fee: | See Annex D(EP) |

[Continued on next page]

¹ Where the request is filed in PCT-EASY format together with a PCT-EASY diskette and the receiving Office accepts such filings, the total amount of the international filing fee is reduced (see *PCT Gazette* No. 51/1998, pages 17330 and 17332, and No. 41/2006, page 19092, Schedule of Fees, item 3(a)).

C Receiving Offices C

MT INDUSTRIAL PROPERTY REGISTRATIONS MT

DIRECTORATE, COMMERCE DIVISION,

MINISTRY OF FINANCE, ECONOMY

AND INVESTMENT

[Continued]

| | |
|--|--|
| Fees payable to the receiving Office (<i>cont'd</i>): | Currency: Euro (EUR) |
| Fee for priority document (PCT Rule 17.1(b)): | EUR 11.65 |
| Fee for requesting restoration of the right of priority (PCT Rule 26bis.3(d)): | EUR 23.29 |
| Is an agent required by the receiving Office? | No, if the applicant resides in a State member of the European Union or a State party to the Agreement on the European Economic Area Yes, if he is a non-resident |
| Who can act as agent? | Any natural or legal person resident in a State member of the European Union or a State party to the Agreement on the European Economic Area |
| Waiver of power of attorney: | |
| Has the Office waived the requirement that a separate power of attorney be submitted? | Yes |
| Particular instances in which a separate power of attorney is required: | Where an agent or a common representative who is not indicated on the request form at the time of filing performs any action after filing; or in case of doubt as to the agent's entitlement to act. |
| Has the Office waived the requirement that a copy of a general power of attorney be submitted? | Yes |
| Particular instances in which a copy of a general power of attorney is required: | Where an agent or a common representative who is not indicated on the request form at the time of filing performs any action after filing; or in case of doubt as to the agent's entitlement to act. |



World Intellectual Property Organization

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FEES PAYABLE UNDER THE PCT

AU Australia

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **Korean won (KRW)** has been established for the search fee for an international search carried out by the **Australian Patent Office**. This amount, applicable from 15 September 2008, is KRW 1,590,000.

[Updating of Annex D(AU) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

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**INTERNATIONAL SEARCHING AUTHORITIES
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES**

AT Austria

Agreement between the Federal Minister of Transport, Innovation and Technology of the Republic of Austria and the International Bureau of the World Intellectual Property Organization¹ – Amendment to Annex A

The **Austrian Patent Office** has notified the International Bureau, in accordance with Article 11(3)(i) of the above-mentioned Agreement, of amendments to Annex A thereof. These amendments will enter into force on 1 January 2009. The amended Annex A will read as follows:

**“Annex A
States and Languages**

Under Article 3 of the Agreement, the Authority specifies:

- (i) the following States for which it will act:
the States regarded as developing countries in conformity with the established practice of the General Assembly of the United Nations, provided that the Republic of Austria, in accordance with its obligations undertaken within the framework of the European Patent Organisation, has concluded with those States an agreement for that purpose;
- (ii) the following languages which it will accept:
English, French, German, Hungarian, Russian.”

FEES PAYABLE UNDER THE PCT

IS Iceland

The **Icelandic Patent Office** has notified new amounts of fees, in **Icelandic kronur (ISK)**, payable to it as receiving Office and as designated (or elected) Office. These amounts, applicable since 1 March 2008, are as follows:

| | |
|--|-------------|
| Transmittal fee: | ISK 7,700 |
| National fee: | |
| Basic fee: | ISK 39,500 |
| Claim fee for each claim in excess of 10: | ISK 1,900 |
| Additional fee for late furnishing of translation: | [No change] |
| Annual fees for the first three years: | ISK 11,100 |

[Updating of Annex C(IS) and of the National Chapter, Summary (IS), of the *PCT Applicant's Guide*]

¹ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_at.pdf.

JP Japan
IB International Bureau

For the purposes of the payment of fees to the **International Bureau** as receiving Office, a new equivalent amount in **Swiss francs (CHF)** has been established for the search fee (PCT Rule 16) for an international search carried out by the **Japan Patent Office**. This amount, applicable from 1 September 2008, is CHF 926.

[Updating of Annex D(JP) of the *PCT Applicant's Guide*]

KR Republic of Korea

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **US dollars (USD)** has been established for the search fee for an international search carried out by the **Korean Intellectual Property Office**. This amount, applicable from 15 October 2008, is USD 220.

[Updating of Annex D(KR) of the *PCT Applicant's Guide*]

PT Portugal

The **National Institute of Industrial Property (Portugal)** has notified new amounts of fees, in **euro (EUR)**, payable to it as receiving Office and as designated (or elected) Office. These amounts, applicable since 1 July 2008, are as follows:

| | |
|--|------------|
| Transmittal fee: | EUR 34.34 |
| Fee for priority document (PCT Rule 17.1(b)): | EUR 40.06 |
| National fee: | |
| For patent and for utility model: | |
| Filing fee: | EUR 125.92 |
| Examination fee: | EUR 228.93 |
| Fee for submission of any document: | EUR 5.73 |

[Updating of Annex C(PT) and of the National Chapter, Summary (PT), of the *PCT Applicant's Guide*]

RECEIVING OFFICES

AO Angola

IB International Bureau

Pursuant to PCT Rule 19.1(b), the **Angolan Institute of Industrial Property** has notified the International Bureau that it delegates its functions as receiving Office to the **International Bureau**, with effect since 27 December 2007.

The International Bureau acting for the Angolan Institute of Industrial Property has specified the Austrian Patent Office and the European Patent Office (EPO) as competent International Searching and International Preliminary Examining Authorities for international applications filed by nationals and residents of Angola with the International Bureau as receiving Office, with effect since 27 December 2007.

[Updating of Annex C(IB) of the *PCT Applicant's Guide*]

BH Bahrain

The **Directorate of Industrial Property** has specified the European Patent Office (EPO) as competent International Searching and International Preliminary Examining Authority for international applications filed by nationals and residents of Bahrain with the Directorate of Industrial Property as receiving Office, with effect since 18 March 2007.



World Intellectual Property Organization

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**INTERNATIONAL SEARCHING AUTHORITIES
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES**

AU Australia

Agreement between the Government of Australia and the International Bureau of the World Intellectual Property Organization¹ – Amendment to Annex A

The **Australian Patent Office** has notified the International Bureau, in accordance with Article 11(3)(i) of the above-mentioned Agreement, of amendments to Annex A thereof. These amendments will enter into force on 1 September 2008. The amended Annex A will read as follows:

**“Annex A
States and Languages**

Under Article 3 of the Agreement, the Authority specifies:

- (i) the following States for which it will act:
Australia, New Zealand and
by arrangement, the States regarded as developing countries in conformity with the established practice of the General Assembly of the United Nations; and
any State that the Authority will specify;
- (ii) the following language:
English.”

INFORMATION ON CONTRACTING STATES

AT Austria

The **Austrian Patent Office** has notified an additional e-mail address, as follows:

pct@patentamt.at (for all PCT matters relating to specific international applications)

[Updating of Annex B1(AT) of the *PCT Applicant's Guide*]

¹ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_au.pdf.

FEES PAYABLE UNDER THE PCT

AT Austria

The Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee (PCT Rule 16) in **US dollars (USD)**, payable for an international search carried out by the **Austrian Patent Office** for the purposes of certain receiving Offices which have specified the US dollar (USD) as a currency of payment or use the US dollar (USD) as a basis for calculating the equivalent amount in their national currency. The new amount, applicable from 1 November 2008, is USD 314.

[Updating of Annex D(AT) of the *PCT Applicant's Guide*]

AU Australia

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **New Zealand dollars (NZD)** has been established for the search fee for an international search carried out by the **Australian Patent Office**. This amount, applicable from 1 November 2008, is NZD 2,029.

[Updating of Annex D(AU) of the *PCT Applicant's Guide*]

ZA South Africa

New equivalent amounts in **South African rand (ZAR)** have been established for the international filing fee, pursuant to PCT Rule 15.2(d), as well as for one of the reductions under item 3 of the PCT Schedule of Fees. These amounts, applicable from 1 November 2008, are as follows:

| | |
|---|------------|
| International filing fee: | ZAR 10,030 |
| Reduction (under PCT Schedule of Fees, item 3): | |
| PCT-EASY: | ZAR 750 |

[Updating of Annex C(ZA) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

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FEES PAYABLE UNDER THE PCT

EP European Patent Organisation (EPO)

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **pounds sterling (GBP)** has been established for the search fee for an international search carried out by the **European Patent Office (EPO)**. This amount, applicable from 1 November 2008, is GBP 1,352.

[Updating of Annex D(EP) of the *PCT Applicant's Guide*]

INFORMATION ON CONTRACTING STATES

AO Angola

General information on **Angola** as a Contracting State is given in Annex B1(AO), which is published on the following page.

B1

Information on Contracting States

B1

AO

ANGOLA

AO

General information

| | |
|---|--|
| Name of Office: | Instituto Angolano da Propriedade Industrial Angolan Institute of Industrial Property |
| Location and mailing address: | Rua Serqueira Lukoki No. 25, 6º Andar, Caixa Postal 3840, Luanda, Angola |
| Telephone: | (244-222) 33 29 74 |
| Facsimile machine: | (244-222) 33 29 74 |
| E-mail: | iapi@iapi.gv.ao |
| Internet: | www.iapi.gv.ao |
| Does the Office accept the filing of documents by means of telecommunication (PCT Rule 92.4)? | Yes, by facsimile machine |
| Which kinds of documents may be so transmitted? | All kinds of documents |
| Must the original of the document be furnished in all cases? | No, only upon invitation |
| Would the Office accept evidence of mailing a document, in case of loss or delay, where a delivery service other than the postal authorities is used (PCT Rule 82.1)? | Yes |
| Competent receiving Office for nationals and residents of Angola: | International Bureau of WIPO (see Annex C) |
| Competent designated (or elected) Office if Angola is designated (or elected): | Angolan Institute of Industrial Property |
| May Angola be elected? | Yes (bound by Chapter II of the PCT) |
| Types of protection available via the PCT: | Patents, utility models, certificates of addition |
| Provisions of the law of Angola concerning international-type search: | None |
| Provisional protection after international publication: | None |

Information of interest if Angola is designated (or elected)

| | |
|--|---|
| Time when the name and address of the inventor must be given if Angola is designated (or elected): | Must be in the request. If the data concerning the inventor are missing at the expiration of the time limit under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit fixed in the invitation. |
| Are there special provisions concerning the deposit of microorganisms and other biological material? | No |



World Intellectual Property Organization

**OFFICIAL NOTICES
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4 September 2008

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FILING AND PROCESSING IN ELECTRONIC FORM OF INTERNATIONAL APPLICATIONS: NOTIFICATION BY RECEIVING OFFICES

CA Canada

Since 7 January 2002, any receiving Office having the adequate technical systems in place is able to accept the filing of international applications in electronic form in accordance with Part 7 and Annex F of the Administrative Instructions under the PCT containing, respectively, the legal framework and technical standard necessary to enable the implementation of filing and processing in electronic form of international applications, as provided for under PCT Rule 89*bis*.1.

On 13 August 2008, the **Canadian Intellectual Property Office**, in its capacity as receiving Office, notified the International Bureau, under PCT Rule 89*bis*.1(d) and Section 710(a) of the Administrative Instructions under the PCT, that it is prepared to receive and process international applications in electronic form with effect from 29 September 2008, as follows:

“As to electronic document formats (Section 710(a)(i)):

- XML (in general; see Annex F, section 3.1.1.1)
- WIPO Standard ST.25 (for sequence listings; see Annex F, section 3.1.1.2, and Annex C)
- ASCII (for sequence listings; see Annex F, section 3.1.1.3, and Annex C)
- PDF (for files that are referenced by XML files within the international application; see Annex F, section 3.1.2)
- TIFF (for files that are referenced by XML files within the international application; see Annex F, section 3.1.3.1)

As to means of transmittal (Section 710(a)(i)):

- online filing (see Annex F, section 5 and Appendix III, section 2(d)) – the WASP is prepared using the PCT-SAFE software, however it is then uploaded and submitted to the receiving Office through the CIPO website (www.cipo.gc.ca)
- filing on one of the following physical media: CD-R, DVD-R or 3.5 inch diskette (see Annex F, section 5.2.1, Appendix III, section 2(e) and Appendix IV, sections 4.1, 4.3 and 4.5)

As to electronic document packaging (Section 710(a)(i)):

- WASP (Wrapped and Signed Package; see Annex F, section 4.2.1)
- WAD (Wrapped Application Documents; see Annex F, section 4.1.1) only for filing on a physical medium

As to electronic filing software (Section 710(a)(i)):

- PCT-SAFE software

As to types of electronic signature (Section 710(a)(i)):

- facsimile, text string and click wrap types of signatures (see Annex F, sections 3.3.1 to 3.3.3)
- enhanced electronic signature (see Annex F, section 3.3.4)

As to conditions, rules and procedures relating to electronic receipt (Section 710(a)(ii)):

The acknowledgement of receipt of any purported international application filed in electronic form with the Office will contain, in addition to the mandatory information required under Section 704(a)(i) to (iv), the names and sizes of the electronic files received (see Section 704(a)(v)) and the dates of creation of the electronic files received (see Section 704(a)(vi)).

The Office will make every effort to accept an international application in electronic form. It is only if the application is not sent in accordance with the E-filing interoperability protocol (see Annex F, section 5.1) that no acknowledgement of receipt will be generated. Other errors, such as the use of outdated certificates (see Annex F, Appendix II, section 4.4.7), applications infected by viruses or other forms of malicious logic (see Section 708(b)) or certain missing files, are notified to the applicant by inclusion in the notification of receipt.

Where it appears that the notification of receipt sent to the applicant by electronic means of transmittal was not successfully transmitted, the Office will promptly retransmit the notification of receipt by the same or another means (see Section 709(b)).

As to methods of online payment (Section 710(a)(ii)):

Online payment is not available through the PCT-SAFE software. Online payment by credit card is possible through the CIPO website (www.cipo.gc.ca).

As to details concerning help desks (Section 710(a)(ii)):

For questions concerning the preparation of the international application in electronic format using the PCT-SAFE software, contact WIPO directly:

- by telephone at (+41-22) 338 95 23
- by facsimile at (+41-22) 338 80 40
- through the WIPO website (www.wipo.int/tools/en/contacts/index.jsp?area=pct-safe)

CIPO has put in place a help desk to answer questions from users relating to the uploading and submission of the international application through the CIPO website. The help desk will be available between 8:30 am and 4:30 pm Monday to Friday excluding official holidays. The help desk may be contacted:

- by telephone at (866) 997 1936 (in Canada) or (+819) 934 0544 (international)
- by facsimile at (+819) 953 2476
- through the CIPO website:
<http://napoleon.ic.gc.ca/cipo/internet.nsf/EnglishCall?OpenForm>

As to the kinds of documents which may be transmitted to the Office in electronic form (Section 710(a)(iii)):

- international applications

As to the filing of documents in pre-conversion format (Section 710(a)(iv)):

The Office will accept the filing of documents in any pre-conversion format together with the international application.

As to procedures for notification of applicants and procedures which applicants may follow as alternatives when the electronic systems of the Office are not available (Section 710(a)(v)):

In case of failure of the electronic systems when an international application is filed with it, the Office will use all means available, such as fax or e-mail, to inform the applicant about procedures to follow as alternatives.

The Office will provide information concerning the availability of the online filing system on its website (www.cipo.gc.ca).

As to the certification authorities that are accepted by the Office and the electronic addresses of the certificate policies under which certificates are issued (Section 710(a)(vi)):

- WIPO customer CA (www.wipo.int/pct-safe/en/certificates.htm)

As to the procedures relating to access to the files of international applications filed or stored in electronic form (Section 710(a)(vii)):

No online file inspection by applicants is provided for at present.”



World Intellectual Property Organization

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**INTERNATIONAL SEARCHING AUTHORITIES
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES**

CN China

Agreement between the State Intellectual Property Office of the People's Republic of China and the International Bureau of the World Intellectual Property Organization¹ – Amendment to Annex A

The **State Intellectual Property Office of the People's Republic of China** has notified the International Bureau, in accordance with Article 11(3)(i) of the above-mentioned Agreement, of an amendment to Annex A thereof. This amendment has been effective since 27 December 2007. The amended Annex A reads as follows:

**“Annex A
States and Languages**

Under Article 3 of the Agreement, the Authority specifies:

- (i) the following States for which it will act:
China, Angola, Ghana, India, Kenya, Liberia, Turkey, Zimbabwe
and any State that the Authority will specify;
- (ii) [no change]”

¹ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_cn.pdf.

US United States of America

Agreement between the United States Patent and Trademark Office and the International Bureau of the World Intellectual Property Organization² – Amendment to Annex A

The **United States Patent and Trademark Office (USPTO)** has notified the International Bureau, in accordance with Article 11(3)(i) of the above-mentioned Agreement, of amendments to Annex A thereof. These amendments enter into force on 25 September 2008. The amended Annex A reads as follows:

“Annex A States and Languages

Under Article 3 of the Agreement, the Authority specifies:

(i) the following States for which it will act, so far as Article 3(1) is concerned:

United States of America, Barbados, Brazil, Dominican Republic, Egypt, Guatemala, India, Israel, Mexico, New Zealand, Philippines, Saint Lucia, South Africa, Trinidad and Tobago;

(ii) the following States for which it will act, so far as Article 3(2) is concerned:

United States of America and,
where the Authority has prepared the international search report, Barbados, Brazil, Dominican Republic, Egypt, Guatemala, India, Israel, Mexico, New Zealand, Philippines, Saint Lucia, South Africa, Trinidad and Tobago;

(iii) [no change]”

RECEIVING OFFICES

AO Angola

IB International Bureau

The International Bureau acting for the **Angolan Institute of Industrial Property** has specified the State Intellectual Property Office of the People’s Republic of China as competent International Searching and International Preliminary Examining Authority for international applications filed by nationals and residents of Angola with the International Bureau as receiving Office, with effect since 27 December 2007.

[Updating of Annex C(IB) of the *PCT Applicant’s Guide*]

GT Guatemala

The **Registry of Intellectual Property** has specified the Austrian Patent Office and the United States Patent and Trademark Office (USPTO) as competent International Searching and International Preliminary Examining Authorities for international applications filed by nationals and residents of Guatemala with the Registry of Intellectual Property as receiving Office.

² Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_us.pdf.

FEES PAYABLE UNDER THE PCT

CA Canada

Following the notification by the **Canadian Intellectual Property Office** that it is prepared to receive and process international applications in electronic form with effect from 29 September 2008 (see Official Notices (PCT Gazette) of 4 September 2008, pages 115 *et seq.*), equivalent amounts in **Canadian dollars (CAD)** have been established for two of the reductions under item 3 of the PCT Schedule of Fees, with effect from the same date, as follows:

Reductions (under PCT Schedule of Fees, item 3):

| | |
|--|---------|
| Electronic filing (the request in character coded format): | CAD 194 |
| Electronic filing (the request, description, claims and abstract in character coded format): | CAD 291 |

[Updating of Annex C(CA) of the *PCT Applicant's Guide*]

EP European Patent Organisation (EPO)

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **Icelandic kronur (ISK)** has been established for the search fee for an international search carried out by the **European Patent Office (EPO)**. This amount, applicable from 1 November 2008, is ISK 207,000.

[Updating of Annex D(EP) of the *PCT Applicant's Guide*]

SE Sweden

The **Swedish Patent and Registration Office** has notified the International Bureau of a new equivalent amount of the search fee in **Icelandic kronur (ISK)**, payable for an international search carried out by the Office. This amount, applicable from 1 November 2008, is ISK 207,000.

[Updating of Annex D(SE) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

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FEES PAYABLE UNDER THE PCT

AU Australia

The Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee (PCT Rule 16) in **US dollars (USD)**, payable for an international search carried out by the **Australian Patent Office** for the purposes of certain receiving Offices which have specified the US dollar (USD) as a currency of payment or use the US dollar (USD) as a basis for calculating the equivalent amount in their national currency. The new amount, applicable from 1 December 2008, is USD 1,302.

[Updating of Annex D(AU) of the *PCT Applicant's Guide*]

SG Singapore

New equivalent amounts in **Singapore dollars (SGD)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for one of the reductions under item 3 of the PCT Schedule of Fees. These amounts, applicable from 1 December 2008, are as follows:

| | |
|---|-----------|
| International filing fee: | SGD 1,708 |
| Fee per sheet in excess of 30: | SGD 19 |
| Reductions (under Schedule of Fees, item 3): | |
| PCT-EASY: | SGD 128 |

[Updating of Annex C(SG) of the *PCT Applicant's Guide*]



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FEES PAYABLE UNDER THE PCT

AU Australia

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **South African rand (ZAR)** has been established for the search fee for an international search carried out by the **Australian Patent Office**. This amount, applicable from 1 January 2009, is ZAR 10,540.

[Updating of Annex D(AU) of the *PCT Applicant's Guide*]

US United States of America

New equivalent amounts in **US dollars (USD)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for the reductions under item 3 of the PCT Schedule of Fees. These amounts, applicable from 1 January 2009, are as follows:

| | |
|--|-----------|
| International filing fee: | USD 1,210 |
| Fee per sheet in excess of 30: | USD 14 |
| Reductions (under PCT Schedule of Fees, item 3): | |
| PCT-EASY: | USD 91 |
| Electronic filing (the request not in character coded format): | USD 91 |
| Electronic filing (the request in character coded format): | USD 182 |
| Electronic filing (the request, description, claims and abstract in character coded format): | USD 273 |

[Updating of Annexes C(AM), C(AP), C(AZ), C(BW), C(BY), C(BZ), C(CO), C(CR), C(CU), C(DO), C(EA), C(EC), C(EG), C(GE), C(GH), C(IB), C(IL), C(IN), C(KE), C(KG), C(KZ), C(LR), C(MD), C(NI), C(PG), C(PH), C(RU), C(SC), C(SY), C(TJ), C(TM), C(TT), C(UA), C(US), C(UZ), C(ZM) and C(ZW) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

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FEES PAYABLE UNDER THE PCT

AU Australia

IB International Bureau

For the purposes of the payment of fees to the **International Bureau** as receiving Office, a new equivalent amount in **euro (EUR)** has been established for the search fee (PCT Rule 16) for an international search carried out by the **Australian Patent Office**. This amount, applicable from 15 December 2008, is EUR 919.

[Updating of Annex D(AU) of the *PCT Applicant's Guide*]

US United States of America

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **New Zealand dollars (NZD)** has been established for the search fee for an international search carried out by the **United States Patent and Trademark Office (USPTO)**. This amount, applicable from 1 January 2009, is NZD 2,700.

[Updating of Annex D(US) of the *PCT Applicant's Guide*]

US United States of America

IB International Bureau

For the purposes of the payment of fees to the **International Bureau** as receiving Office, a new equivalent amount in **euro (EUR)** has been established for the search fee (PCT Rule 16) for an international search carried out by the **United States Patent and Trademark Office (USPTO)**. This amount, applicable from 15 December 2008, is EUR 1,225.

[Updating of Annex D(US) of the *PCT Applicant's Guide*]

WITHDRAWAL OF NOTIFICATIONS BY RECEIVING OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 26bis.3(j)

PT Portugal

Further to its notification of incompatibility with its national law under PCT Rule 26bis.3(j) (see PCT Gazette No. 22/2006, page 15988), the **National Institute of Industrial Property**, in its capacity as receiving Office, has notified the International Bureau that it has withdrawn the said notification with effect since 1 October 2008. PCT Rule 26bis.3(a) to (i) therefore applies since that date.

[Updating of Annex C(PT) of the *PCT Applicant's Guide*]

WITHDRAWAL OF NOTIFICATIONS BY DESIGNATED OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 49ter.1(g)

PT Portugal

Further to its notification of incompatibility with its national law under PCT Rule 49ter.1(g) (see PCT Gazette No. 22/2006, page 15990), the **National Institute of Industrial Property**, in its capacity as designated Office, has notified the International Bureau that it has withdrawn the said notification with effect since 1 October 2008. PCT Rule 49ter.1(a) to (f) therefore applies since that date.

WITHDRAWAL OF NOTIFICATIONS BY DESIGNATED OFFICES OF INCOMPATIBILITY WITH NATIONAL LAWS UNDER PCT RULE 49ter.2(h)

PT Portugal

Further to its notification of incompatibility with its national law under PCT Rule 49ter.2(h) (see PCT Gazette No. 22/2006, page 15990), the **National Institute of Industrial Property**, in its capacity as designated Office, has notified the International Bureau that it has withdrawn the said notification with effect since 1 October 2008. PCT Rule 49ter.2(a) to (g) therefore applies since that date.

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



World Intellectual Property Organization

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23 October 2008

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FEES PAYABLE UNDER THE PCT

AU Australia

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **Singapore dollars (SGD)** has been established for the search fee for an international search carried out by the **Australian Patent Office**. This amount, applicable from 1 January 2009, is SGD 1,870.

Furthermore, the Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee (PCT Rule 16) in **Swiss francs (CHF)**, payable for an international search carried out by the **Australian Patent Office** for the purposes of certain receiving Offices which have specified the Swiss franc (CHF) as a currency of payment or use the Swiss franc (CHF) as a basis for calculating the equivalent amount in their national currency. The new amount, applicable from 1 January 2009, is CHF 1,425.

[Updating of Annex D(AU) of the *PCT Applicant's Guide*]

EP European Patent Organization

Pursuant to PCT Rule 16.1(d), new equivalent amounts in **US dollars (USD)** and **South African rand (ZAR)** have been established for the search fee for an international search carried out by the **European Patent Office (EPO)**. These amounts, applicable from 1 January 2009, are USD 2,410 and ZAR 19,450, respectively.

[Updating of Annex D(EP) of the *PCT Applicant's Guide*]

ES Spain

The Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee in **US dollars (USD)**, payable for an international search carried out by the **Spanish Patent and Trademark Office** for the purposes of certain receiving Offices which have specified the US dollar (USD) as a currency of payment or use the US dollar (USD) as a basis for calculating the equivalent amount in the national currency. This amount, applicable from 1 January 2009, is USD 2,410.

[Updating of Annex D(ES) of the *PCT Applicant's Guide*]

SE Sweden

The **Swedish Patent and Registration Office** has notified the International Bureau of a new equivalent amount of the search fee in **US dollars (USD)**, payable for an international search carried out by the Office. This amount, applicable from 1 January 2009, is USD 2,410.

[Updating of Annex D(SE) of the *PCT Applicant's Guide*]

RECEIVING OFFICES

US United States of America

The **United States Patent and Trademark Office (USPTO)** has specified (subject to certain limitations) the Australian Patent Office as competent International Searching and International Preliminary Examining Authority for international applications filed by nationals and residents of the United States of America with the United States Patent and Trademark Office (USPTO) as receiving Office, with effect from 1 November 2008.

The Australian Patent Office will act as an International Preliminary Examining Authority only if the international search is being, or has been, performed by the Australian Patent Office.

The Australian Patent Office will not be a competent International Searching or International Preliminary Examining Authority for international applications filed by nationals and residents of the United States of America with the United States Patent and Trademark Office (USPTO) as receiving Office where such applications contain one or more claims relating to mechanical engineering or analogous fields of technology.

The full list of excluded subject matter, as agreed between the Australian Patent Office and the United States Patent and Trademark Office (USPTO), is defined by International Patent Classification class, as follows:

- “A01- AGRICULTURE; FORESTRY; ANIMAL HUSBANDRY; HUNTING; TRAPPING; FISHING, all classes except A01H, A01N, A01P (ie new plants or processes of obtaining them thereof, Preservation of human, animals bodies or plants, biocidal, pest repellent, pest attractant or plant growth regulatory activity of chemical compounds or preparations)
- A21- BAKING; EQUIPMENT FOR MAKING OR PROCESSING DOUGHS; DOUGHS FOR BAKING all classes except A21D, (ie Treatment of flour or dough for baking)
- A22- BUTCHERING; MEAT TREATMENT; PROCESSING POULTRY OR FISH
- A23N- MACHINES OR APPARATUS FOR TREATING HARVESTED FRUIT, VEGETABLES OR FLOWER BULBS IN BULK
- A23P- SHAPING OR WORKING OF FOODSTUFFS
- A24- TOBACCO; CIGARS; CIGARETTES
- A41-47 PERSONAL AND DOMESTIC ARTICLES (eg. headgear (A42), footwear (A43), haberdashery (A44))
- A61- MEDICAL OR VETERINARY SCIENCE, all classes except A61K, A61L, A61P and A61Q (ie preparations for medical, dental or toilet purposes, methods, apparatus for sterilising materials or objects, chemical aspects of bandages, dressings, absorbent pads, or surgical articles, therapeutic activity of chemical compounds, use of cosmetics or similar toilet preparations)
- A62- LIFE-SAVING all classes except A62D (ie chemical means for extinguishing fires, processes for making harmful chemical substances

- harmless, or less harmful, by effecting a chemical change, composition of materials for coverings or clothing for protecting against harmful chemical agents; composition of materials for transparent parts of gas-masks, respirators, breathing bags or helmets; composition of chemical materials for use in breathing apparatus)
- A63- SPORTS; GAMES; AMUSEMENTS
- B06- GENERATING OR TRANSMITTING MECHANICAL VIBRATIONS IN GENERAL
- B21, B23-B27 all except B23K (ie soldering or unsoldering; welding; cladding or plating by soldering or welding; cutting by applying heat locally, e.g. flame cutting; working by laser beam)
- B31- MAKING PAPER ARTICLE WORKING PAPER
- B60-B68 all except B60L, B60M and B60Q (ie electric equipment or propulsion of electrically-propelled vehicles; magnetic suspension or levitation for vehicles; electrodynamic brake systems for vehicles, in general, power supply lines, or devices along rails, for electrically-propelled vehicles, arrangement of signalling or lighting devices, the mounting or supporting thereof or circuits therefor, for vehicles in general)
- D01-D07 Textiles all except D06L, D06M, D06N, D06P, D06Q (ie bleaching, treatment of fabrics, dyeing or printing textiles, decorating textiles)
- E01-E06 FIXED CONSTRUCTION
- E21- EARTH OR ROCK DRILLING; MINING
- F01-F04 MACHINES
- F15-F17 ENGINEERING ELEMENTS, ACTUATORS, STORAGE OR DISTRIBUTION OF GASES OR LIQUIDS
- F41-F42 WEAPONS, AMMUNITION
- G04- HOROLOGY
- G06- COMPUTING; Calculating; Counting
- G10- MUSICAL INSTRUMENTS
- G11- INFORMATION STORAGE”

[Updating of Annex C(US) of the *PCT Applicant's Guide*]

**INFORMATION ON CONTRACTING STATES
RECEIVING OFFICES
DESIGNATED (OR ELECTED) OFFICES**

BH Bahrain

General information on **Bahrain** as a Contracting State, as well as information on the requirements of the **National Patent Office** as receiving Office and as designated (or elected) Office, is given in Annexes B1(BH) and C(BH) and in the Summary of the National Chapter (BH), which are published on the following pages.

| | | |
|-----------|--|-----------|
| B1 | Information on Contracting States | B1 |
| BH | BAHRAIN | BH |

General information

| | |
|---|--|
| Name of Office: | National Patent Office |
| Location: | Diplomatic Area, Manama, Kingdom of Bahrain |
| Mailing address: | P.O. Box 5479, Manama, Kingdom of Bahrain |
| Telephone: | (973-17) 53 03 35 |
| Facsimile machine: | (973-17) 53 64 79 |
| E-mail: | ip@commerce.gov.bh |
| Internet: | www.moic.gov.bh |
| Does the Office accept the filing of documents by means of telecommunication (PCT Rule 92.4)? | Yes, by facsimile machine |
| Which kinds of documents may be so transmitted? | All kinds of documents |
| Must the original of the document be furnished in all cases? | Yes, within 14 days from the date of the transmission |
| Would the Office accept evidence of mailing a document, in case of loss or delay, where a delivery service other than the postal authorities is used (PCT Rule 82.1)? | Yes, provided that the delivery service is Aramex, DHL, Federal Express or TNT |
| Competent receiving Office for nationals and residents of Bahrain: | National Patent Office or International Bureau of WIPO, at the choice of the applicant (see Annex C) |
| Competent designated (or elected) Office if Bahrain is designated (or elected): | National Patent Office (see National Phase) |
| May Bahrain be elected? | Yes (bound by Chapter II of the PCT) |
| Types of protection available via the PCT: | Patents, utility models (a utility model may be sought in addition to a national patent) |
| Provisions of the law of Bahrain concerning international-type search: | None |
| Provisional protection after international publication: | None |

Information of interest if Bahrain is designated (or elected)

| | |
|--|--|
| Time when the name and address of the inventor must be given if Bahrain is designated (or elected): | May be in the request or may be furnished later. If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within two months from the date of the invitation. |
| Are there special provisions concerning the deposit of microorganisms and other biological material? | No |

| | | |
|-----------|-------------------------------|-----------|
| C | Receiving Offices | C |
| BH | NATIONAL PATENT OFFICE | BH |

| | |
|--|---|
| Competent receiving Office for nationals and residents of: | Bahrain |
| Language in which international applications may be filed: | Arabic or English ¹ |
| Language in which the request may be filed: | Arabic or English |
| Number of copies required by the receiving Office: | 3 |
| Does the receiving Office accept the filing of international applications with requests in PCT-EASY format? ² | No |
| Does the receiving Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)? | Yes, the Office applies the “due care” criterion to such requests |
| Competent International Searching Authority: | Austrian Patent Office, European Patent Office or the United States Patent and Trademark Office |
| Competent International Preliminary Examining Authority: | Austrian Patent Office, European Patent Office or the United States Patent and Trademark Office |
| Fees payable to the receiving Office: | Currency: Bahraini dinar (BHD) and US dollar (USD) |
| Transmittal fee: | BHD 70 |
| International filing fee: ³ | USD 1,338 (1,210) ⁴ |
| Fee per sheet in excess of 30: ³ | USD 15 (14) ⁴ |
| Search fee: | See Annex D(AT), (EP) or (US) |
| Fee for priority document (PCT Rule 17.1(b)): | BHD 2 for natural persons BHD 4 for legal persons |
| Fee for requesting restoration of the right of priority (PCT Rule 26bis.3(d)): | None |
| Is an agent required by the receiving Office? | No, if the applicant resides in Bahrain Yes, if he is a non-resident |
| Who can act as agent? | Any attorney or lawyer registered in Bahrain |
| Waiver of power of attorney: | |
| Has the Office waived the requirement that a separate power of attorney be submitted? | No |
| Has the Office waived the requirement that a copy of a general power of attorney be submitted? | No |

¹ If the language in which the international application is filed is not accepted by the International Searching Authority (see Annex D), the applicant will have to furnish a translation (PCT Rule 12.3); currently Arabic is not accepted by any of the International Searching Authorities.

² Where the request is filed in PCT-EASY format together with a PCT-EASY diskette and the receiving Office accepts such filings, the total amount of the international filing fee is reduced (see *PCT Gazette* No. 51/1998, pages 17330 and 17332, and No. 41/2006, page 19092, Schedule of Fees, item 3(a)).

³ This fee is reduced by 90% if certain conditions apply (see corresponding footnote to Annex C(IB)). For further details, see *Official Notices (PCT Gazette)* dated 29 May 2008, page 69, Schedule of Fees, item 4.

⁴ The amount in parentheses is applicable as from 1 January 2009.

SUMMARY

**Designated
(or elected) Office**

SUMMARY

BH

NATIONAL PATENT OFFICE

BH

Summary of requirements for entry into the national phase

| | |
|--|--|
| Time limits applicable for entry into the national phase: | Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date |
| Translation of international application required into: ¹ | Arabic or English |
| Required contents of the translation for entry into the national phase: ¹ | Under PCT Article 22: Request, description, claims (if amended, both as originally filed and as amended), any text matter of drawings, abstract Under PCT Article 39(1): Request, description, claims, any text matter of drawings, abstract (if any of those parts has been amended, both as originally filed and as amended by the annexes to the international preliminary examination report) |
| Is a copy of the international application required? | No |
| National fee: | Currency: Bahraini dinar (BHD) For patent: Filing fee: ¹ BHD 80 (40) ² Second annual fee: BHD 80 (40) ² Publication fee: BHD 100 (50) ² Search fee: BHD 40 (20) ² Examination fee: According to actual cost For utility model: Filing fee: ¹ BHD ... ³ |
| Exemptions, reductions or refunds of the national fee: | None |

[Continued on next page]

¹ Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).

² The amount in parentheses is payable in case of filing by an individual.

³ The amount of this fee is not yet known. It will be fixed in the near future. The Office should be consulted for the applicable fee amount.

SUMMARY

**Designated
(or elected) Office**

SUMMARY

BH

NATIONAL PATENT OFFICE

BH

[Continued]

Special requirements of the Office
(PCT Rule 51*bis*):⁴

Name and address of the inventor if they have not been furnished in the “Request” part of the international application⁵

Statement justifying the applicant’s right to the patent where the applicant is not the inventor⁵

Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306)

Appointment of an agent if the applicant is not a resident of Bahrain
An instrument appointing the agent (authorization or power of attorney) is required

International application and translation thereof to be furnished in two copies

Verification of translation of the international application

Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form

Who can act as agent?

Any attorney or lawyer registered in Bahrain

Does the Office accept requests for
restoration of the right of priority
(PCT Rule 49*ter.2*)?

Yes, the Office applies the “due care” criterion to such requests

⁴ If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit of two months from the date of receipt of the invitation.

⁵ This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.



World Intellectual Property Organization

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6 November 2008

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| Fees Payable under the PCT | |
| CR Costa Rica | 138 |
| US United States of America | 138 |

Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

INFORMATION ON CONTRACTING STATES

CR Costa Rica

The **Registry of Intellectual Property** has notified changes in the name of the Office, in its telephone and facsimile numbers and in its e-mail addresses, and has added an Internet address, as follows:

| | |
|--------------------|--|
| Name of Office: | Registro de la Propiedad Industrial Registry of Industrial Property |
| Telephone: | (506) 2234 1537 |
| Facsimile machine: | (506) 2234 1537 |
| E-mail: | lalvarez@rnp.go.cr kquesada@rnp.go.cr |
| Internet: | www.rnp.go.cr |

Furthermore, the time limit when the name and address of the inventor must be given if Costa Rica is designated (or elected) has been modified to 15 days following an invitation from the Office to the applicant to comply with the requirement.

[Updating of Annex B1(CR) of the *PCT Applicant's Guide*]

FEES PAYABLE UNDER THE PCT

CR Costa Rica

The **Registry of Industrial Property** has notified a change in the amount of the national filing fee for a patent, in **US dollars (USD)**, payable to the Registry as designated (or elected) Office. The new amount is USD 500.

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

US United States of America

The **United States Patent and Trademark Office (USPTO)** has notified new amounts of fees, in **US dollars (USD)**, payable to it as designated (or elected) Office. The amounts in parentheses are applicable in case of filing by a “small entity”. The new amounts, applicable since 2 October 2008, are as follows:

| | |
|--|---------------|
| Basic national fee: | USD 330 (165) |
| Search fee: | |
| – IPER prepared by the IPEA/US or the written opinion was prepared by the ISA/US, all claims presented satisfied provisions of PCT Article 33(1) to (4): | [No change] |

- International search fee paid to the USPTO as ISA: [No change]
- Search report has been prepared by an ISA other than the US and is provided or has been previously communicated by the IB to the USPTO: USD 430 (215)
- All other situations: USD 540 (270)

Examination fee:

- IPER prepared by the IPEA/US or the written opinion was prepared by the ISA/US, all claims presented satisfied provisions of PCT Article 33(1) to (4): [No change]
- All other situations: USD 220 (110)

For every 50 sheets or fraction thereof of the specification and drawings that exceeds 100 sheets (excluding any sequence listing or computer program listing filed in an electronic medium): USD 270 (135)

Additional fee for each claim in independent form in excess of three: USD 220 (110)

Additional fee for each claim, independent or dependent, in excess of 20: USD 52 (26)

In addition, if the application contains one or more multiple dependent claims, per application: USD 390 (195)

Surcharge for paying any of the search fee, the examination fee, or filing the oath or declaration after the date of commencement of the national stage: [No change]

Processing fee for filing English-language translation after the expiration of the time limit applicable under PCT Article 22 or 39(1): [No change]

Furthermore, the Office has introduced the following footnote, which applies to the amounts of the fees listed above:

“The amounts listed reflect fees in the event that legislation extends the patent and trademark fee provisions of the Fiscal Year 2005 Consolidated Appropriations Act. See 73 Fed. Reg. 47534 (14 August 2008).”

[Updating of the National Chapter, Summary (US) of the *PCT Applicant’s Guide*]



World Intellectual Property Organization

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| XN Nordic Patent Institute | 141 |
| Deposits of Microorganisms and Other Biological Material: Institutions with Which Deposits May Be Made | |
| JP Japan | 142 |

FEES PAYABLE UNDER THE PCT

AU Australia

New equivalent amounts in **Australian dollars (AUD)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for reductions under item 3 of the PCT Schedule of Fees. These amounts, applicable from 1 January 2009, are as follows:

| | |
|--|-----------|
| International filing fee: | AUD 1,510 |
| Fee per sheet in excess of 30: | AUD 17 |
| Reductions (under PCT Schedule of Fees, item 3): | |
| PCT-EASY: | AUD 114 |
| Electronic filing (the request in character coded format): | AUD 227 |
| Electronic filing (the request, description, claims and abstract in character coded format): | AUD 341 |

[Updating of Annex C(AU) of the *PCT Applicant's Guide*]

US United States of America

The Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee (PCT Rule 16) in **Swiss francs (CHF)**, payable for an international search carried out by the **United States Patent and Trademark Office (USPTO)** for the purposes of certain receiving Offices which have specified the Swiss franc (CHF) as a currency of payment but in respect of which the Swiss franc (CHF) is not the official currency. The new amount, applicable from 1 January 2009, is CHF 1,978.

[Updating of Annex D(US) of the *PCT Applicant's Guide*]

XN Nordic Patent Institute

The **Nordic Patent Institute** has notified the International Bureau of a new equivalent amount of the search fee in **Icelandic kronur (ISK)**, payable for an international search carried out by the Office. This amount, applicable from 1 January 2009, is ISK 207,000.

[Updating of Annex D(XN) of the *PCT Applicant's Guide*]

**DEPOSITS OF MICROORGANISMS AND OTHER BIOLOGICAL MATERIAL:
INSTITUTIONS WITH WHICH DEPOSITS MAY BE MADE**

JP Japan

Pursuant to PCT Rule 13*bis*.7(b), the **Japan Patent Office** has notified the deletion of the Institute for Fermentation (IFO) from the list of depositary institutions with which deposits of microorganisms may be made for the purposes of patent procedure.

[Updating of Annex L of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

20 November 2008

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| JP Japan | 144 |
| KR Republic of Korea | 144 |

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FEES PAYABLE UNDER THE PCT

JP Japan

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **Korean won (KRW)** has been established for the search fee for an international search carried out by the **Japan Patent Office**. This amount, applicable from 1 January 2009, is KRW 1,331,000.

[Updating of Annex D(JP) of the *PCT Applicant's Guide*]

KR Republic of Korea

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **Singapore dollars (SGD)** has been established for the search fee for an international search carried out by the **Korean Intellectual Property Office**. This amount, applicable from 15 January 2009, is SGD 267.

[Updating of Annex D(KR) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

**OFFICIAL NOTICES
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| Fees Payable under the PCT | |
| CA Canada | 146 |
| ES Spain | 147 |
| JP/IB Japan/International Bureau | 147 |
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| Designated (or Elected) Offices | |
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**INTERNATIONAL SEARCHING AUTHORITIES
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES**

ES Spain

Agreement between the Spanish Patent and Trademark Office and the International Bureau of the World Intellectual Property Organization¹ – Amendment to Annex C

The **Spanish Patent and Trademark Office** has notified the International Bureau, in accordance with Article 11(3)(ii) of the above-mentioned Agreement, of amendments to Part I of Annex C thereof. These amendments will enter into force on 1 January 2009. The amended Annex C will read as follows:

**“Annex C
Fees and Charges**

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (Euro) |
|---|--------------------------|
| Search fee (Rule 16.1(a)) | [No change] |
| Additional fee (Rule 40.2(a)) | [No change] |
| Preliminary examination fee (Rule 58.1(b)) | 555.33 |
| Additional fee (Rule 68.3(a)) | 555.33 |
| Cost of copies (Rules 44.3(b) and 71.2(b)): | |
| – national documents, per document | [No change] |
| – foreign documents, per document | [No change] |
| Cost of copies (Rule 94.2), per page | [No change] |

Part II. [No change]”

FEES PAYABLE UNDER THE PCT

CA Canada

The Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee (PCT Rule 16) in **US dollars (USD)**, payable for an international search carried out by the **Canadian Intellectual Property Office** for the purposes of certain receiving Offices which have specified the US dollar (USD) as a currency of payment but in respect of which the US dollar (USD) is not the official currency. The new amount, applicable from 1 February 2009, is USD 1,309.

[Updating of Annex D(CA) of the *PCT Applicant’s Guide*]

¹ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_es.pdf.

ES Spain

The **Spanish Patent and Trademark Office** has notified new amounts of the preliminary examination fee (PCT Rule 58.1(b)) and of the additional fee (PCT Rule 68.3(a)) in **euro (EUR)**, payable to it as International Preliminary Examining Authority. These amounts, applicable from 1 January 2009, are EUR 555.33 for each of the fees.

[Updating of Annex E(ES) of the *PCT Applicant's Guide*]

JP Japan

IB International Bureau

For the purposes of the payment of fees to the **International Bureau** as receiving Office, a new equivalent amount in **Swiss francs (CHF)** has been established for the search fee (PCT Rule 16) for an international search carried out by the **Japan Patent Office**. This amount, applicable from 1 February 2009, is CHF 1,140.

[Updating of Annex D(JP) of the *PCT Applicant's Guide*]

RU Russian Federation

The Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee (PCT Rule 16) in **Swiss francs (CHF)**, payable for an international search carried out by the **Federal Service for Intellectual Property, Patents and Trademarks (Russian Federation)** for the purposes of certain receiving Offices which have specified the Swiss franc (CHF) as a currency of payment but in respect of which the Swiss franc (CHF) is not the official currency. The new amount, applicable from 1 February 2009, is CHF 573.

[Updating of Annex D(RU) of the *PCT Applicant's Guide*]

DESIGNATED (OR ELECTED) OFFICES

FI Finland

The **National Board of Patents and Registration of Finland** has notified new time limits applicable for entry into the national phase, under PCT Articles 22(3) and 39(1)(b), in the case where national protection by means of a utility model is being sought. The new time limits under both Articles, applicable from 1 December 2008, will be 31 months from the priority date.

[Updating of the National Chapter, Summary (FI) of the *PCT Applicant's Guide*]

INTERNATIONAL BUREAU

Non-Working Days

For the purposes of computing time limits under PCT Rule 80.5, it is to be noted that the days on which the **International Bureau will not be open for business** are, for the period from 1 January to 31 December 2009, the following:

all Saturdays and Sundays and
1 and 2 January 2009,
10 and 13 April 2009,
21 May 2009,
1 June 2009,
10 September 2009,
27 November 2009,
24, 25 and 31 December 2009.

It is important to note that the days indicated above concern **only the International Bureau** and **not** the national Offices and other intergovernmental organizations.



World Intellectual Property Organization

**OFFICIAL NOTICES
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4 December 2008

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| CN/IB China/International Bureau | 150 |
| EP European Patent Organisation | 150 |
| FI/IB Finland/International Bureau | 151 |
| IS Iceland | 151 |
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| XN/IB Nordic Patent Institute/International Bureau | 152 |

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FEES PAYABLE UNDER THE PCT

AT Austria

The Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee (PCT Rule 16) in **US dollars (USD)**, payable for an international search carried out by the **Austrian Patent Office** for the purposes of certain receiving Offices which have specified the US dollar (USD) as a currency of payment but in respect of which the US dollar (USD) is not the official currency. The new amount, applicable from 1 February 2009, is USD 257.

[Updating of Annex D(AT) of the *PCT Applicant's Guide*]

AU Australia

The Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee (PCT Rule 16) in **US dollars (USD)**, payable for an international search carried out by the **Australian Patent Office** for the purposes of certain receiving Offices which have specified the US dollar (USD) as a currency of payment but in respect of which the US dollar (USD) is not the official currency. The new amount, applicable from 1 February 2009, is USD 1,091.

[Updating of Annex D(AU) of the *PCT Applicant's Guide*]

CN China

IB International Bureau

For the purposes of the payment of fees to the **International Bureau** as receiving Office, a new equivalent amount in **euro (EUR)** has been established for the search fee (PCT Rule 16) for an international search carried out by the **State Intellectual Property Office of the People's Republic of China**. This amount, applicable from 1 February 2009, is EUR 241.

[Updating of Annex D(CN) of the *PCT Applicant's Guide*]

EP European Patent Organisation

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **Icelandic kronur (ISK)** has been established for the search fee for an international search carried out by the **European Patent Office (EPO)**. This amount, applicable from 1 February 2009, is ISK 255,000.

[Updating of Annex D(EP) of the *PCT Applicant's Guide*]

FI Finland
IB International Bureau

For the purposes of the payment of fees to the **International Bureau** as receiving Office, a new equivalent amount in **US dollars (USD)** has been established for the search fee (PCT Rule 16) for an international search carried out by the **National Board of Patents and Registration of Finland**. This amount, applicable from 1 January 2009, is USD 2,410.

Furthermore, also for the purposes of the payment of fees to the **International Bureau** as receiving Office, a new equivalent amount in **Swiss francs (CHF)** has been established for the search fee (PCT Rule 16) for an international search carried out by the Office. This amount, applicable from 1 February 2009, is CHF 2,525.

[Updating of Annex D(FI) of the *PCT Applicant's Guide*]

IS Iceland

New equivalent amounts in **Icelandic kronur (ISK)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for one of the reductions under item 3 of the PCT Schedule of Fees. These amounts, applicable from 1 February 2009, are as follows:

| | |
|---|-------------|
| International filing fee: | ISK 129,500 |
| Fee per sheet in excess of 30: | ISK 1,500 |
| Reduction (under PCT Schedule of Fees, item 3): | |
| PCT-EASY: | ISK 9,700 |

[Updating of Annex C(IS) of the *PCT Applicant's Guide*]

RU Russian Federation

The Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee (PCT Rule 16) in **euro (EUR)**, payable for an international search carried out by the **Federal Service for Intellectual Property, Patents and Trademarks (Russian Federation)** for the purposes of certain receiving Offices which have specified the euro (EUR) as a currency of payment but in respect of which the euro (EUR) is not the official currency. The new amount, applicable from 1 February 2009, is EUR 390.

[Updating of Annex D(RU) of the *PCT Applicant's Guide*]

SE Sweden

The **Swedish Patent and Registration Office** has notified the International Bureau of a new equivalent amount of the search fee in **Icelandic kronur (ISK)**, payable for an international search carried out by the Office. This amount, applicable from 1 February 2009, is ISK 255,000.

[Updating of Annex D(SE) of the *PCT Applicant's Guide*]

XN Nordic Patent Institute
IB International Bureau

For the purposes of the payment of fees to the **International Bureau** as receiving Office, a new equivalent amount in **US dollars (USD)** has been established for the search fee (PCT Rule 16) for an international search carried out by the **Nordic Patent Institute**. This amount, applicable from 1 January 2009, is USD 2,410.

Furthermore, also for the purposes of the payment of fees to the **International Bureau** as receiving Office, a new equivalent amount in **Swiss francs (CHF)** has been established for the search fee (PCT Rule 16) for an international search carried out by the Institute. This amount, applicable from 1 February 2009, is CHF 2,525.

[Updating of Annex D(XN) of the *PCT Applicant's Guide*]



World Intellectual Property Organization

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11 December 2008

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| Amendments of the Regulations under the PCT (to enter into force on 1 July 2009) | 166 |

FEES PAYABLE UNDER THE PCT

AU Australia

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **New Zealand dollars (NZD)** has been established for the search fee for an international search carried out by the **Australian Patent Office**. This amount, applicable from 15 February 2009, is NZD 1,825.

[Updating of Annex D(AU) of the *PCT Applicant's Guide*]

AU Australia

IB International Bureau

For the purposes of the payment of fees to the **International Bureau** as receiving Office, a new equivalent amount in **euro (EUR)** has been established for the search fee (PCT Rule 16) for an international search carried out by the **Australian Patent Office**. This amount, applicable from 15 February 2009, is EUR 855.

[Updating of Annex D(AU) of the *PCT Applicant's Guide*]

EE Estonia

The **Estonian Patent Office** has notified a change in the currency of payment of certain fees from **Estonian kroon (EEK)** to **Swiss franc (CHF)**, with effect from 1 January 2009. The amounts of these fees, payable to the Office as receiving Office, will be as follows:

| | | |
|---|-----|-------|
| International filing fee: | CHF | 1,330 |
| Fee per sheet in excess of 30: | CHF | 15 |
| Reduction (under PCT Schedule of Fees, item 3): | | |
| PCT-EASY: | CHF | 100 |

[Updating of Annex C(EE) of the *PCT Applicant's Guide*]

EP European Patent Organisation

Pursuant to PCT Rule 16.1(d), a new equivalent amount in **Japanese yen (JPY)** has been established for the search fee for an international search carried out by the **European Patent Office (EPO)**. This amount, applicable from 15 February 2009, is JPY 212,600.

[Updating of Annex D(EP) of the *PCT Applicant's Guide*]

JP Japan

New equivalent amounts in **Japanese yen (JPY)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for reductions under item 3 of the PCT Schedule of Fees. These amounts, applicable from 15 February 2009, are as follows:

| | |
|--|-------------|
| International filing fee: | JPY 113,200 |
| Fee per sheet in excess of 30: | JPY 1,300 |
| Reductions (under PCT Schedule of Fees, item 3): | |
| PCT-EASY: | JPY 8,500 |
| Electronic filing (the request, description, claims and abstract in character coded format): | JPY 25,500 |

[Updating of Annex C(JP) of the *PCT Applicant's Guide*]

JP Japan
IB International Bureau

For the purposes of the payment of fees to the **International Bureau** as receiving Office, a new equivalent amount in **euro (EUR)** has been established for the search fee (PCT Rule 16) for an international search carried out by the **Japan Patent Office**. This amount, applicable from 1 February 2009, is EUR 752.

[Updating of Annex D(JP) of the *PCT Applicant's Guide*]

KR Republic of Korea

The **Korean Intellectual Property Office** has notified new amounts of fees in **Korean won (KRW)**, payable to it as International Searching Authority and International Preliminary Examining Authority. These amounts, applicable from 1 January 2009, are as follows:

| | |
|---|-------------|
| Search fee (PCT Rule 16.1(a)) (in English language): | KRW 900,000 |
| Search fee (PCT Rule 16.1(a)) (in Korean language): | KRW 450,000 |
| Preliminary examination fee (PCT Rule 58.1(b)): | KRW 450,000 |

[Updating of Annexes D(KR) and E(KR) of the *PCT Applicant's Guide*]

Furthermore, new equivalent amounts in **Korean won (KRW)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for reductions under item 3 of the PCT Schedule of Fees. These amounts, applicable from 15 February 2009, are as follows:

| | |
|--|---------------|
| International filing fee: | KRW 1,614,000 |
| Fee per sheet in excess of 30: | KRW 18,000 |
| Reductions (under PCT Schedule of Fees, item 3): | |
| PCT-EASY: | KRW 121,000 |
| Electronic filing (the request, description, claims and abstract in character coded format): | KRW 364,000 |

[Updating of Annex C(KR) of the *PCT Applicant's Guide*]

US United States of America

The **United States Patent and Trademark Office (USPTO)** has notified a new amount of the transmittal fee, in **US dollars (USD)**, payable to it as receiving Office. This amount, applicable from 12 January 2009, is USD 240.

Furthermore, the Office has notified new amounts of the search fee (PCT Rule 16.1(a)) and of the additional search fee (PCT Rule 40.2(a)), in **US dollars (USD)**, payable to it as International Searching Authority. These amounts, applicable from 12 January 2009, are USD 2,080 for each of the fees.

[Updating of Annexes C(US) and D(US) of the *PCT Applicant's Guide*]

RECEIVING OFFICES

BH Bahrain

The **National Patent Office** has specified the Austrian Patent Office as competent International Searching and International Preliminary Examining Authority for international applications filed by nationals and residents of Bahrain with the National Patent Office as receiving Office.

**INTERNATIONAL SEARCHING AUTHORITIES
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES**

EP European Patent Organisation

Agreement between the European Patent Organisation and the International Bureau of the World Intellectual Property Organization¹ – Amendment to Annex C

The **European Patent Organisation** has notified the International Bureau, in accordance with Article 11(3)(ii) of the above-mentioned Agreement, of an amendment to Part I of Annex C thereof. The amendment consists of a revision of footnote 2 of the Agreement and will enter into force on 1 January 2009.

The revised footnote 2 will read as follows:

“This fee is reduced by 75% under certain conditions (see decision of the EPO’s Administrative Council of October 21, 2008 (OJ EPO 11/08, 521)).”

The effect of the amendment is that the 75% reduction of the search fee (PCT Rule 16.1(a)), additional fee (PCT Rule 40.2(a)), preliminary examination fee (PCT Rule 58.1(b)) and additional fee (PCT Rule 68.3(a)) is now available to nationals and residents of certain States depending on criteria revised periodically by the World Bank. The European Patent Organisation will maintain an updated list of States which meet such criteria. These States will be as follows on 1 January 2009 (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**, Iran (Islamic Republic of), Iraq, 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**.

¹ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_ep.pdf.

KR Republic of Korea

Agreement between the Korean Intellectual Property Office and the International Bureau of the World Intellectual Property Organization² – Amendment to Annex C

The **Korean Intellectual Property Office** has notified the International Bureau, in accordance with Article 11(3)(ii) of the above-mentioned Agreement, of amendments to Part I of Annex C thereof. These amendments will enter into force on 1 January 2009. The amended Annex C will read as follows:

**“Annex C
Fees and Charges**

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (Korean won) |
|---|--------------------------------|
| Search fee (Rule 16.1(a)) (in English language) | 900,000 |
| Search fee (Rule 16.1(a)) (in Korean language) | 450,000 |
| Additional fee (Rule 40.2(a)) | [No change] |
| Preliminary examination fee (Rule 58.1(b)) | 450,000 |
| Additional fee (Rule 68.3(a)) | [No change] |
| Late payment fee for preliminary examination | [No change] |
| Protest fee (Rules 40.2(e) and 68.3(e)) | [No change] |
| Late furnishing fee (Rule 13 ^{ter} .1(c) and 13 ^{ter} .2) | [No change] |
| Cost of copies (Rules 44.3(b), 71.2(b) and 94.2), per page | [No change] |

Part II. [No change]”

SE Sweden

Agreement between the Swedish Patent and Registration Office and the International Bureau of the World Intellectual Property Organization³ – Amendment

The **Swedish Patent and Registration Office** has stated its preparedness to carry out supplementary international searches by agreeing with the International Bureau, in accordance with Article 11(1) of the above-mentioned Agreement, amendments to the Agreement with effect from 1 January 2009. The Office has also simplified the operation of an existing agreement between the Office and the European Patent Office (EPO) and provided for a common search fee structure by adding a footnote to Annex C of the Agreement, in accordance with Article 11(3)(ii) of the said Agreement, with effect from the same date. The amended Agreement is set out on pages 168 to 174.

² Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_kr.pdf.

³ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_se.pdf.

US United States of America

Agreement between the United States Patent and Trademark Office and the International Bureau of the World Intellectual Property Organization⁴ – Amendment to Annex C

The **United States Patent and Trademark Office (USPTO)** has notified the International Bureau, in accordance with Article 11(3)(ii) of the above-mentioned Agreement, of amendments to Part I of Annex C thereof. These amendments will enter into force on 12 January 2009. The amended Annex C will read as follows:

**“Annex C
Fees and Charges**

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (US dollars) |
|--|--------------------------------|
| Search fee (Rule 16.1(a)) | 2,080 |
| Additional search fee (Rule 40.2(a)) | 2,080 |
| Preparation of an international-type search report on a United States national application | [No change] |
| Preliminary examination fee (Rule 58.1(b)): | |
| – where the international search fee has been paid on the international application to the Authority | [No change] |
| – where the international search was carried out by another Authority | [No change] |
| Additional examination fee (Rule 68.3(a)) | [No change] |
| Cost of copies (Rule 94.2): | |
| – US patent, per copy | [No change] |
| – non-US patent document, per copy | [No change] |

Part II. [No change]”

⁴ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_us.pdf.

XN Nordic Patent Institute

Agreement between the Nordic Patent Institute and the International Bureau of the World Intellectual Property Organization⁵ – Amendment

The **Nordic Patent Institute** has stated its preparedness to carry out supplementary international searches by agreeing with the International Bureau, in accordance with Article 11(1) of the above-mentioned Agreement, amendments to the Agreement with effect from 1 January 2009. The Institute has also simplified the operation of an existing agreement between the Institute and the European Patent Office (EPO) and provided for a common search fee structure by adding a footnote to Annex C of the Agreement, in accordance with Article 11(3)(ii) of the said Agreement. The amended Agreement is set out on pages 175 to 181.

MEETINGS OF THE INTERNATIONAL PATENT COOPERATION UNION – ASSEMBLY (THIRTY-EIGHTH (22ND EXTRAORDINARY) SESSION)

NOTE PREPARED BY THE INTERNATIONAL BUREAU

A number of amendments to the PCT Regulations were approved by the Assembly of the International Patent Cooperation Union (PCT Union) during its thirty-eighth (22nd extraordinary) session, which was held in Geneva from 22 to 30 September 2008 as part of the meetings of the Assemblies of the Member States of WIPO.

Documents which were prepared for the PCT Assembly, and which give detailed background information relating to the decisions that were taken, as well as the report of the session, are available on the WIPO website at:

www.wipo.int/meetings/en/details.jsp?meeting_id=16034

The said amendments to the PCT Regulations will enter into force at two different times. The first set of amendments (set out on pages 162 to 165) will enter into force on 1 January 2009. The second set of amendments (set out on pages 166 and 167) will enter into force on 1 July 2009.

The amendments due to enter into force on 1 January 2009 provide for:

(i) the refund of the supplementary search handling fee and the supplementary search fee only if the international application is withdrawn or considered withdrawn, or if the request for supplementary international search is withdrawn or considered not to have been submitted, before the transmittal of the documents referred to in PCT Rule 45*bis*.4(e)(i) to (iv) to the Authority specified for supplementary search (PCT Rules 45*bis*.2 and 45*bis*.3);

(ii) the appointment of an agent to practice before any International Authority specified to carry out a supplementary international search, the manner of such an appointment and procedures where the appointment is made in a general power of attorney (PCT Rules 90.1, 90.4 and 90.5);

(iii) the requirements and effects of a withdrawal of a request for supplementary international search (PCT Rules 90*bis*.3*bis*, 90*bis*.5 and 90*bis*.6).

⁵ Available on the WIPO website at: www.wipo.int/pct/en/texts/agreements/ag_xn.pdf.

The amendments due to enter into force on 1 July 2009 provide for:

(i) the invitation by the receiving Office to the applicant, where the receiving Office intends to issue a declaration under PCT Article 14(4), when notifying the applicant of its intent to issue such a declaration, to confirm that any missing element is incorporated by reference; the extension of the time limit for response to the notification of intent from one to two months so as to correspond to the time limit for response to an invitation to incorporate by reference any missing element or part; the clarification that receiving Offices having informed the International Bureau of the incompatibility of the provisions relating to the incorporation by reference with their national law are not required to issue the above-mentioned invitation (PCT Rule 29.4);

(ii) the submission by the applicant, in the case of amendments of the claims under PCT Articles 19 and 34, of a replacement sheet or sheets containing a complete set of claims in replacement of all the claims originally filed rather than, as at present, replacement sheets only for those sheets of claims which, on account of an amendment, differed from sheets previously filed; and the clarification of what needs to be annexed to the international preliminary examination report where the international application has been amended under PCT Articles 19 and/or 34 (PCT Rules 29.4, 46.5, 66.8 and 70.16).

AMENDMENTS OF THE REGULATIONS UNDER THE PCT
(to enter into force on 1 January 2009)

Rule 45bis
Supplementary International Searches

45bis.1 [No change]

45bis.2 *Supplementary Search Handling Fee*

(a) to (c) [No change]

(d) The International Bureau shall refund the supplementary search handling fee to the applicant if, before the documents referred to in Rule 45bis.4(e)(i) to (iv) are transmitted to the Authority specified for supplementary search, the international application is withdrawn or considered withdrawn, or the supplementary search request is withdrawn or considered not to have been submitted.

45bis.3 *Supplementary Search Fee*

(a) to (c) [No change]

(d) The International Bureau shall refund the supplementary search fee to the applicant if, before the documents referred to in Rule 45bis.4(e)(i) to (iv) are transmitted to the Authority specified for supplementary search, the international application is withdrawn or considered withdrawn, or the supplementary search request is withdrawn or considered not to have been submitted.

(e) [No change]

45bis.4 to 45bis.9 [No change]

Rule 90 **Agents and Common Representatives**

90.1 *Appointment as Agent*

(a) A person having the right to practice before the national Office with which the international application is filed or, where the international application is filed with the International Bureau, having the right to practice in respect of the international application before the International Bureau as receiving Office may be appointed by the applicant as his agent to represent him before the receiving Office, the International Bureau, the International Searching Authority, any Authority specified for supplementary search and the International Preliminary Examining Authority.

(b) [No change]

(b-bis) A person having the right to practice before the national Office or intergovernmental organization which acts as the Authority specified for supplementary search may be appointed by the applicant as his agent to represent him specifically before that Authority.

(c) [No change]

(d) An agent appointed under paragraph (a) may, unless otherwise indicated in the document appointing him, appoint one or more sub-agents to represent the applicant as the applicant's agent:

(i) before the receiving Office, the International Bureau, the International Searching Authority, any Authority specified for supplementary search and the International Preliminary Examining Authority, provided that any person so appointed as sub-agent has the right to practice before the national Office with which the international application was filed or to practice in respect of the international application before the International Bureau as receiving Office, as the case may be;

(ii) specifically before the International Searching Authority, any Authority specified for supplementary search or the International Preliminary Examining Authority, provided that any person so appointed as sub-agent has the right to practice before the national Office or intergovernmental organization which acts as the International Searching Authority, the Authority specified for supplementary search or the International Preliminary Examining Authority, as the case may be.

90.2 and 90.3 [No change]

90.4 *Manner of Appointment of Agent or Common Representative*

(a) [No change]

(b) Subject to Rule 90.5, a separate power of attorney shall be submitted to either the receiving Office or the International Bureau, provided that, where a power of attorney appoints an agent under Rule 90.1(b), (b-*bis*), (c) or (d)(ii), it shall be submitted to the International Searching Authority, the Authority specified for supplementary search or the International Preliminary Examining Authority, as the case may be.

(c) [No change]

(d) Subject to paragraph (e), any receiving Office, any International Searching Authority, any Authority competent to carry out supplementary searches, any International Preliminary Examining Authority and the International Bureau may waive the requirement under paragraph (b) that a separate power of attorney be submitted to it, in which case paragraph (c) shall not apply.

(e) [No change]

90.5 *General Power of Attorney*

(a) [No change]

(b) The general power of attorney shall be deposited with the receiving Office, provided that, where it appoints an agent under Rule 90.1(b), (b-*bis*), (c) or (d)(ii), it shall be deposited with the International Searching Authority, the Authority specified for supplementary search or the International Preliminary Examining Authority, as the case may be.

(c) Any receiving Office, any International Searching Authority, any Authority competent to carry out supplementary searches and any International Preliminary Examining Authority may waive the requirement under paragraph (a)(ii) that a copy of the general power of attorney is attached to the request, the demand or the separate notice, as the case may be.

(d) Notwithstanding paragraph (c), where the agent submits any notice of withdrawal referred to in Rules 90*bis*.1 to 90*bis*.4 to the receiving Office, the International Searching Authority, the Authority specified for supplementary search or the International Preliminary Examining Authority, as the case may be, a copy of the general power of attorney shall be submitted to that Office or Authority.

90.6 [No change]

Rule 90*bis* Withdrawals

90*bis*.1 to 90*bis*.3 [No change]

90*bis*.3*bis* *Withdrawal of Supplementary Search Request*

(a) The applicant may withdraw a supplementary search request at any time prior to the date of transmittal to the applicant and to the International Bureau, under Rule 45*bis*.8(a), of the supplementary international search report or the declaration that no such report will be established.

(b) Withdrawal shall be effective on receipt, within the time limit under paragraph (a), of a notice addressed by the applicant, at his option, to the Authority specified for supplementary search or to the International Bureau, provided that, where the notice does not reach the Authority specified for supplementary search in sufficient time to prevent the transmittal of the report or declaration referred to in paragraph (a), the communication of that report or declaration under Article 20(1), as applicable by virtue of Rule 45*bis*.8(b), shall nevertheless be effected.

90*bis*.4 [No change]

90*bis*.5 *Signature*

(a) [No change]

(b) Where two or more applicants file an international application which designates a State whose national law requires that national applications be filed by the inventor and where an applicant for that designated State who is an inventor could not be found or reached after diligent effort, a notice of withdrawal referred to in Rules 90*bis*.1 to 90*bis*.4 need not be signed by that applicant (“the applicant concerned”) if it is signed by at least one applicant and

(i) a statement is furnished explaining, to the satisfaction of the receiving Office, the International Bureau, the Authority carrying out the supplementary international search or the International Preliminary Examining Authority, as the case may be, the lack of signature of the applicant concerned, or

(ii) in the case of a notice of withdrawal referred to in Rule 90*bis*.1(b), 90*bis*.2(d), 90*bis*.3(c) or 90*bis*.3*bis*(b), the applicant concerned did not sign the request but the requirements of Rule 4.15(b) were complied with, or

(iii) [no change]

90*bis*.6 *Effect of Withdrawal*

(a) and (b) [No change]

(b-*bis*) Where a supplementary search request is withdrawn under Rule 90*bis*.3*bis*, the supplementary international search by the Authority concerned shall be discontinued.

(c) [No change]

90*bis*.7 [No change]

AMENDMENTS OF THE REGULATIONS UNDER THE PCT
(to enter into force on 1 July 2009)

Rule 29
International Applications Considered Withdrawn

29.1 to 29.3 [No change]

29.4 *Notification of Intent to Make Declaration under Article 14(4)*

(a) Before the receiving Office issues any declaration under Article 14(4), it shall notify the applicant of its intent to issue such declaration and the reasons therefor. The applicant may, if he disagrees with the tentative finding of the receiving Office, submit arguments to that effect within two months from the date of the notification.

(b) Where the receiving Office intends to issue a declaration under Article 14(4) in respect of an element mentioned in Article 11(1)(iii)(d) or (e), the receiving Office shall, in the notification referred to in paragraph (a) of this Rule, invite the applicant to confirm in accordance with Rule 20.6(a) that the element is incorporated by reference under Rule 4.18. For the purposes of Rule 20.7(a)(i), the invitation sent to the applicant under this paragraph shall be considered to be an invitation under Rule 20.3(a)(ii).

(c) Paragraph (b) shall not apply where the receiving Office has informed the International Bureau in accordance with Rule 20.8(a) of the incompatibility of Rules 20.3(a)(ii) and (b)(ii) and 20.6 with the national law applied by that Office.

Rule 46
Amendment of Claims before the International Bureau

46.1 to 46.4 [No change]

46.5 *Form of Amendments*

(a) The applicant, when making amendments under Article 19, shall be required to submit a replacement sheet or sheets containing a complete set of claims in replacement of all the claims originally filed.

(b) The replacement sheet or sheets shall be accompanied by a letter which:

(i) shall identify the claims which, on account of the amendments, differ from the claims originally filed, and shall draw attention to the differences between the claims originally filed and the claims as amended;

(ii) shall identify the claims originally filed which, on account of the amendments, are cancelled.

Rule 66
Procedure before the International Preliminary Examining Authority

66.1 to 66.7 [No change]

66.8 *Form of Amendments*

(a) Subject to paragraph (b), when amending the description or the drawings, the applicant shall be required to submit a replacement sheet for every sheet of the international application which, on account of an amendment, differs from the sheet previously filed. The replacement sheet or sheets shall be accompanied by a letter which shall draw attention to the differences between the replaced sheets and the replacement sheets and shall preferably also explain the reasons for the amendment.

(b) [No change]

(c) When amending the claims, Rule 46.5 shall apply *mutatis mutandis*. The set of claims submitted under Rule 46.5 as applicable by virtue of this paragraph shall replace all the claims originally filed or previously amended under Articles 19 or 34, as the case may be.

66.9 [No change]

Rule 70
International Preliminary Report on Patentability
by the International Preliminary Examining Authority
(International Preliminary Examination Report)

70.1 to 70.15 [No change]

70.16 *Annexes to the Report*

(a) Each replacement sheet under Rule 66.8(a) or (b) shall, unless superseded by later replacement sheets under Rule 66.8(a) or (b) or amendments resulting in the cancellation of entire sheets under Rule 66.8(b), be annexed to the report.

(a-bis) Replacement sheets under Rule 46.5(a) shall, unless superseded or considered as reversed by replacement sheets under Rule 66.8(c), be annexed to the report. Replacement sheets under Rule 66.8(c) shall, unless superseded by later replacement sheets under Rule 66.8(c), be annexed to the report. Letters under Rule 46.5(b) or Rule 66.8(a) or (c) shall not be annexed to the report.

(b) Notwithstanding paragraphs (a) and (a-bis), each superseded or reversed replacement sheet referred to in those paragraphs shall also be annexed to the report where the International Preliminary Examining Authority considers that the relevant superseding or reversing amendment goes beyond the disclosure in the international application as filed and the report contains an indication referred to in Rule 70.2(c). In such a case, the superseded or reversed replacement sheet shall be marked as provided by the Administrative Instructions.

70.17 [No change]

AGREEMENT
BETWEEN THE SWEDISH PATENT AND REGISTRATION OFFICE
AND THE INTERNATIONAL BUREAU
OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION

in relation to the functioning of the Swedish Patent and Registration Office
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

Preamble

The Swedish Patent and Registration Office and the International Bureau of the World Intellectual Property Organization,

Considering that the PCT Assembly, having heard the advice of the PCT Committee for Technical Cooperation, has appointed the Swedish Patent and Registration Office as an International Searching and Preliminary Examining Authority under the Patent Cooperation Treaty and approved this Agreement in accordance with Articles 16(3) and 32(3),

Hereby agree as follows:

Article 1
Terms and Expressions

- (1) For the purposes of this Agreement:
 - (a) “Treaty” means the Patent Cooperation Treaty;
 - (b) “Regulations” means the Regulations under the Treaty;
 - (c) “Administrative Instructions” means the Administrative Instructions under the Treaty;
 - (d) “Article” (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
 - (e) “Rule” means a Rule of the Regulations;
 - (f) “Contracting State” means a State party to the Treaty;
 - (g) “the Authority” means the Swedish Patent and Registration Office;
 - (h) “the International Bureau” means the International Bureau of the World Intellectual Property Organization.

(2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2 **Basic Obligations**

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching Authority and International Preliminary Examining Authority as are provided under, the Treaty, the Regulations, the Administrative Instructions and this Agreement.

(2) In carrying out international search and international preliminary examination, the Authority shall apply and observe all the common rules of international search and of international preliminary examination and, in particular, shall be guided by the PCT International Search and Preliminary Examination Guidelines.

(3) The Authority shall maintain a quality management system in compliance with the requirements set out in the PCT International Search and Preliminary Examination Guidelines.

(4) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent considered to be appropriate by both the Authority and the International Bureau, mutual assistance in the performance of their functions thereunder.

Article 3 **Competence of Authority**

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(3) Where an international application is filed with the International Bureau as receiving Office under Rule 19.1(a)(iii), paragraphs (1) and (2) apply as if that application had been filed with a receiving Office which would have been competent under Rule 19.1(a)(i) or (ii), (b) or (c) or Rule 19.2(i).

(4) The Authority shall conduct supplementary international searches in accordance with Rule 45*bis*, covering at least the documentation referred to in Annex E to this Agreement, subject to any limitations and conditions set out in that Annex.

Article 4
Subject Matter Not Required to Be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter specified in Annex B to this Agreement.

Article 5
Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, is set out in Annex C to this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement:

- (i) refund the whole or part of the search fee paid, or waive or reduce the search fee, where the international search report can be wholly or partly based on the results of an earlier search (Rules 16.3 and 41.1);
- (ii) refund the search fee where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement, refund the whole or part of the preliminary examination fee paid where the demand is considered as if it had not been submitted (Rule 58.3) or where the demand or the international application is withdrawn by the applicant before the start of the international preliminary examination.

Article 6
Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate solely the International Patent Classification.

Article 7
Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, other than with the International Bureau, the Authority shall use the language or one of the languages indicated, having regard to the language or languages indicated in Annex A and to the language or languages whose use is authorized by the Authority under Rule 92.2(b), in Annex D.

Article 8
International-Type Search

The Authority shall carry out international-type searches to the extent decided by it.

Article 9
Entry into Force

This Agreement shall enter into force on January 1, 2008.

Article 10
Duration and Renewability

This Agreement shall remain in force until December 31, 2017. The parties to this Agreement shall, no later than July 2016, start negotiations for its renewal.

Article 11
Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes to this Agreement by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(3) The Authority may, by a notification to the Director General of the World Intellectual Property Organization:

- (i) add to the indications of States and languages contained in Annex A to this Agreement;
- (ii) amend the schedule of fees and charges contained in Annex C to this Agreement;
- (iii) amend the indications of languages of correspondence contained in Annex D to this Agreement;
- (iv) amend the indications and information concerning supplementary international searches contained in Annex E to this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any increase of fees or charges contained in Annex C, that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2017:

- (i) if the Swedish Patent and Registration Office gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

- (ii) if the Director General of the World Intellectual Property Organization gives the Swedish Patent and Registration Office written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

Annex A States and Languages

Under Article 3 of the Agreement, the Authority specifies:

- (i) the following States for which it will act:
 - (a) Denmark, Finland, Iceland, Norway, Sweden;
 - (b) the States regarded as developing countries in conformity with the established practice of the General Assembly of the United Nations, provided that Sweden, in accordance with its obligations undertaken within the framework of the European Patent Organisation, has concluded with those States an agreement for that purpose;
- (ii) the following languages which it will accept:
 - (a) for international applications filed with the receiving Office of, or acting for, any State referred to in subparagraph (i)(a), above:
Danish, English, Finnish, Norwegian, Swedish;
 - (b) for international applications filed with the receiving Office of, or acting for, any State referred to in subparagraph (i)(b), above:
Danish, English, Finnish, French, Norwegian, Swedish.

Annex B Subject Matter Not Excluded from Search or Examination

The subject matter set forth in Rule 39.1 or 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

none.

Annex C
Fees and Charges

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (Swedish kronor) |
|--|------------------------------------|
| Search fee (Rule 16.1(a)) | ... ¹ |
| Additional fee (Rule 40.2(a)) | ... ¹ |
| Supplementary search fee (Rule 45 <i>bis</i> .3(a)) | ... ¹ |
| Preliminary examination fee (Rule 58.1(b)) | 5,000 |
| Additional fee (Rule 68.3(a)) | 5,000 |
| Cost of copies (Rule 94.2), per page | 4 |
| Cost of copies in paper form (Rules 44.3(b) and 71.2(b)), ² per document | 50 |

Part II. Conditions for and Extent of Refunds or Reductions of Fees

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the international application is withdrawn or considered withdrawn, under Article 14(1), (3) or (4), before the start of the international search, the amount of the search fee paid shall be fully refunded.

(3) Where the Authority benefits from an earlier international or international-type search, 50% or 100% of the search fee paid according to Part I shall be refunded, depending upon the extent to which the Authority benefits from that earlier search.

(4) Where on an earlier application, the priority of which is claimed, a search report has been issued by the Danish Patent Office, the Icelandic Patent Office, the National Board of Patents and Registration of Finland or the Norwegian Patent Office, and where the Authority benefits from that search report, the amount of SEK 1,400 shall be refunded in respect of the search fee paid according to Part I. Where on an earlier application, the priority of which is claimed, a search report has been issued by the Swedish Patent and Registration Office, and where the Authority benefits from that search report, the amount of SEK 2,800 shall be refunded in respect of the search fee paid according to Part I.

(5) In the cases provided for under Rule 58.3, the following amount of the preliminary examination fee shall be refunded:

- (a) refund of the full amount paid where Rule 54.4(a), 57.4(c) or 58.2(c) applies;

¹ Swedish kronor equivalent of the Euro amount of the search fee (Rule 16.1(a)) payable to the European Patent Office as International Searching Authority, as modified from time to time in accordance with the directives under Rule 16.1(d).

² The applicant will receive free of charge a copy of each document containing non-patent literature. Other documents are available electronically, free of charge, on the website www.prv.se.

- (b) refund of the amount paid less the current amount of transmittal fee, where Rule 60.1(c) applies.

(6) Where the international application or the demand is withdrawn before the start of the international preliminary examination, the amount of the preliminary examination fee paid shall be fully refunded.

(7) Where the supplementary search request is considered not to have been submitted before the start of the supplementary international search, the amount of the search fee paid shall be fully refunded.

Annex D Languages of Correspondence

Under Article 7 of the Agreement, the Authority specifies the following languages:

Danish, English, Finnish, French, Norwegian or Swedish, depending on the language in which the international application is filed or translated; however, English or Swedish may be used in all cases.

Annex E Supplementary International Search: Documentation Covered; Limitations and Conditions

(1) The Authority will accept requests for supplementary international search based on international applications filed in – or with translations furnished into – English, Swedish, Norwegian or Danish.

(2) The supplementary international search shall cover, in addition to the PCT minimum documentation, at least the documents in Swedish, Danish, Norwegian and Finnish held in the search collection of the Authority.

(3) The Authority will notify the International Bureau if the demand for supplementary international search clearly exceeds the resources available and also when normal conditions have been reestablished.

AGREEMENT
BETWEEN THE NORDIC PATENT INSTITUTE
AND THE INTERNATIONAL BUREAU
OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION

in relation to the functioning of the Nordic Patent Institute
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

Preamble

The Nordic Patent Institute and the International Bureau of the World Intellectual Property Organization,

Considering that the PCT Assembly, having heard the advice of the PCT Committee for Technical Cooperation, has appointed the Nordic Patent Institute as an International Searching and Preliminary Examining Authority under the Patent Cooperation Treaty and approved this Agreement in accordance with Articles 16(3) and 32(3),

Hereby agree as follows:

Article 1
Terms and Expressions

- (1) For the purposes of this Agreement:
 - (a) “Treaty” means the Patent Cooperation Treaty;
 - (b) “Regulations” means the Regulations under the Treaty;
 - (c) “Administrative Instructions” means the Administrative Instructions under the Treaty;
 - (d) “Article” (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
 - (e) “Rule” means a Rule of the Regulations;
 - (f) “Contracting State” means a State party to the Treaty;
 - (g) “the Authority” means the Nordic Patent Institute;
 - (h) “the International Bureau” means the International Bureau of the World Intellectual Property Organization.

- (2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2 **Basic Obligations**

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching Authority and International Preliminary Examining Authority as are provided under, the Treaty, the Regulations, the Administrative Instructions and this Agreement.

(2) In carrying out international search and international preliminary examination, the Authority shall apply and observe all the common rules of international search and of international preliminary examination and, in particular, shall be guided by the PCT International Search and Preliminary Examination Guidelines.

(3) The Authority shall maintain a quality management system in compliance with the requirements set out in the PCT International Search and Preliminary Examination Guidelines.

(4) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent considered to be appropriate by both the Authority and the International Bureau, mutual assistance in the performance of their functions thereunder.

Article 3 **Competence of Authority**

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any Contracting State specified in Annex A to this Agreement, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages specified in Annex A to this Agreement and, where applicable, that the Authority has been chosen by the applicant and that any other requirements regarding such application as specified in Annex A to this Agreement have been met.

(3) Where an international application is filed with the International Bureau as receiving Office under Rule 19.1(a)(iii), paragraphs (1) and (2) apply as if that application had been filed with a receiving Office which would have been competent under Rule 19.1(a)(i) or (ii), (b) or (c) or Rule 19.2(i).

(4) The Authority shall conduct supplementary international searches in accordance with Rule 45*bis*, covering at least the documentation referred to in Annex E to this Agreement, subject to any limitations and conditions set out in that Annex.

Article 4
Subject Matter Not Required to Be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter specified in Annex B to this Agreement.

Article 5
Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, is set out in Annex C to this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement:

- (i) refund the whole or part of the search fee paid, or waive or reduce the search fee, where the international search report can be wholly or partly based on the results of an earlier search (Rules 16.3 and 41.1);
- (ii) refund the search fee where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall, under the conditions and to the extent set out in Annex C to this Agreement, refund the whole or part of the preliminary examination fee paid where the demand is considered as if it had not been submitted (Rule 58.3) or where the demand or the international application is withdrawn by the applicant before the start of the international preliminary examination.

Article 6
Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate solely the International Patent Classification.

Article 7
Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, other than with the International Bureau, the Authority shall use the language or one of the languages indicated, having regard to the language or languages indicated in Annex A and to the language or languages whose use is authorized by the Authority under Rule 92.2(b), in Annex D.

Article 8
International-Type Search

The Authority shall carry out international-type searches to the extent decided by it.

Article 9
Entry into Force

This Agreement shall enter into force one month after the date on which the Authority notifies the Director General of the World Intellectual Property Organization that it is prepared to start functioning as an International Searching Authority and as an International Preliminary Examining Authority.

Article 10
Duration and Renewability

This Agreement shall remain in force until December 31, 2017. The parties to this Agreement shall, no later than July 2016, start negotiations for its renewal.

Article 11
Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes to this Agreement by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(3) The Authority may, by a notification to the Director General of the World Intellectual Property Organization:

- (i) add to the indications of States and languages contained in Annex A to this Agreement;
- (ii) amend the schedule of fees and charges contained in Annex C to this Agreement;
- (iii) amend the indications of languages of correspondence contained in Annex D to this Agreement;
- (iv) amend the indications and information concerning supplementary international searches contained in Annex E to this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified in the notification, provided that, for any increase of fees or charges contained in Annex C, that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 12
Termination

- (1) This Agreement shall terminate before December 31, 2017:
- (i) if the Nordic Patent Institute gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement;
or
 - (ii) if the Director General of the World Intellectual Property Organization gives the Nordic Patent Institute written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

Annex A
States and Languages

Under Article 3 of the Agreement, the Authority specifies:

- (i) the following States for which it will act:
 - (a) Denmark, Iceland, Norway;
 - (b) any other Contracting State in accordance with the obligations of Denmark, Iceland and Norway within the framework of the European Patent Organisation;
- (ii) the following languages which it will accept:
Danish, English, Icelandic, Norwegian and Swedish.

Annex B
Subject Matter Not Excluded from Search or Examination

The subject matter set forth in Rule 39.1 or 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

all subject matter searched or examined under the national patent grant procedure under the provisions of the Danish, Icelandic and Norwegian Patent Laws.

Annex C
Fees and Charges

Part I. Schedule of Fees and Charges

| Kind of fee or charge | Amount (Danish kroner) |
|---|-----------------------------------|
| Search fee (Rule 16.1(a)) | ... ¹ |
| Additional fee (Rule 40.2(a)) | ... ¹ |
| Supplementary search fee (Rule 45 <i>bis</i> .3(a)) | 12,670 |
| Review fee (Rule 45 <i>bis</i> .6(c)) | 8,000 |
| Preliminary examination fee (Rule 58.1(b)) | 5,000 |
| Additional fee (Rule 68.3(a)) | 5,000 |
| Protest fee (Rules 40.2(e) and 68.3(e)) | 8,000 |
| Cost of copies in paper form (Rules 44.3(b) and 71.2(b)), per document | 50 |
| Cost of copies (Rule 94.2), per page | 3.25 |

Part II. Conditions for and Extent of Refunds or Reductions of Fees

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the international application is withdrawn or considered withdrawn, under Article 14(1), (3) or (4), before the start of the international search, the amount of the search fee paid shall be fully refunded.

(3) Where the Authority benefits from an earlier international or international-type search, 50% of the search fee paid according to Part I shall be refunded.

(4) Where on an earlier application, the priority of which is claimed, a search report has been issued by another Office, and where the Authority benefits from that search report, the amount of 25% shall be refunded in respect of the search fee paid according to Part I.

(5) In the cases provided for under Rule 58.3, the following amount of the preliminary examination fee shall be refunded:

- (a) refund of the full amount paid where Rule 54.4, 54*bis*.1(b) or 58*bis*.1(b) applies;
- (b) refund of the amount paid less the current amount of transmittal fee, where Rule 60.1(c) applies.

(6) Where the international application or the demand is withdrawn before the start of the international preliminary examination, the amount of the preliminary examination fee shall be fully refunded.

¹ Danish kroner equivalent of the euro amount of the search fee (Rule 16.1(a)) payable to the European Patent Office as International Searching Authority, as modified from time to time in accordance with the directives under Rule 16.1(d).

(7) The Authority shall refund the supplementary international search fee if, before it has started the supplementary international search in accordance with Rule 45*bis*.5(a), the supplementary search request is considered not to have been submitted.

Annex D
Languages of Correspondence

Under Article 7 of the Agreement, the Authority specifies the following languages:

Danish, English, Icelandic, Norwegian and Swedish, depending on the language in which the international application is filed or translated; however, English may be used in all cases.

Annex E
**Supplementary International Search:
Documentation Covered; Limitations and Conditions**

(1) The Authority will accept requests for supplementary international searches in the languages mentioned in Annex D.

(2) The supplementary international search shall, in addition to the PCT minimum documentation, cover at least the documents in Danish, Icelandic, Norwegian and Swedish held in the search collection of the Authority.

(3) The following limitation shall apply:
The Authority will conduct a maximum of 500 supplementary international searches per year.



World Intellectual Property Organization

**OFFICIAL NOTICES
(PCT GAZETTE)**

18 December 2008

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Official Notices (PCT Gazette) is part of the Gazette published by the International Bureau of the World Intellectual Property Organization in accordance with Article 55(4) of the Patent Cooperation Treaty (PCT) and Rule 86 of the Regulations under the PCT.

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PATENT COOPERATION TREATY (PCT)

ME Montenegro

The Intellectual Property Office (Montenegro) has informed the International Bureau that it started operations on 28 May 2008. Whereas the Government 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 (see Official Notices (PCT Gazette) of 20 September 2007, page 128), the Intellectual Property Office (Montenegro) has taken up its functions as designated and elected Office under the PCT on 28 May 2008.

Application of the PCT in Montenegro

Following the adoption by the National Assembly of Montenegro of a declaration of independence on 3 June 2006, Montenegro deposited on 4 December 2006, with the Director General of WIPO, a declaration the effect of which is that the PCT continues to be applicable as far as Montenegro is concerned (see Official Notices (PCT Gazette) of 20 September 2007, page 128).

Effect in Montenegro of International Applications under the PCT

(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 under the PCT, or patents resulting from such applications, 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 Intellectual Property Office (Serbia) on, or after, 3 June 2006 but prior to the commencement of operation of the Intellectual Property Office (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;

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

- (i) files with the Intellectual Property Office (Montenegro) a request for the grant of the right not later than one year after the commencement of operation of that Office;

- (ii) submits to the Intellectual Property Office (Montenegro) a copy of the application and of any attachment thereto, filed with the Intellectual Property Office of Serbia and Montenegro, or the Intellectual Property Office (Serbia), 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 Intellectual Property Office (Serbia) 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 Intellectual Property Office (Montenegro) a request for the grant of the right not later than one year after the commencement of operation of that Office or within the time limit under Article 22 or 39(1), whichever time limit expires later;
- (ii) submits to the Intellectual Property Office (Montenegro), where applicable, a translation of the application; and
- (iii) pays the prescribed fee.

INFORMATION ON CONTRACTING STATES AND INTERGOVERNMENTAL ORGANIZATIONS

EA Eurasian Patent Organization (EAPO)

The **Eurasian Patent Office (EAPO)** has notified changes in its location and mailing address and in its facsimile machine number, which now read as follows:

Location and mailing address: 2, M. Cherkassky per., Moscow, 109012,
Russian Federation

Facsimile machine: (74-95) 621 24 23

[Updating of Annex B2(EA) of the *PCT Applicant's Guide*]

IL Israel

The **Israel Patent Office** has notified a change in its telephone numbers. The numbers applicable from 1 January 2009 will read as follows:

(972-2) 5651 705, 5651 685

[Updating of Annex B1(IL) of the *PCT Applicant's Guide*]

ME Montenegro

General information on **Montenegro** as a Contracting State is given in Annex B1(ME), which is published on page 196.

OM Oman

General information on **Oman** as a Contracting State is given in Annex B1(OM), which is published on page 197.

FEES PAYABLE UNDER THE PCT

AU Australia

New equivalent amounts in **Australian dollars (AUD)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for reductions under item 3 of the PCT Schedule of Fees. These amounts, applicable from 1 February 2009, are as follows:

| | |
|--|-----------|
| International filing fee: | AUD 1,645 |
| Fee per sheet in excess of 30: | AUD 19 |
| Reductions (under PCT Schedule of Fees, item 3): | |
| PCT-EASY: | AUD 124 |
| Electronic filing (the request in character coded format): | AUD 247 |
| Electronic filing (the request, description, claims and abstract in character coded format): | AUD 371 |

[Updating of Annex C(AU) of the *PCT Applicant's Guide*]

Furthermore, pursuant to PCT Rule 16.1(d), new equivalent amounts in **Korean won (KRW)** and **Singapore dollars (SGD)** have been established for the search fee for an international search carried out by the **Australian Patent Office**. These amounts, applicable from 15 February 2009, are KRW 1,418,000 and SGD 1,650, respectively.

[Updating of Annex D(AU) of the *PCT Applicant's Guide*]

EP European Patent Organisation

Pursuant to PCT Rule 16.1(d), new equivalent amounts in **Norwegian kroner (NOK)**, **New Zealand dollars (NZD)** and **South African rand (ZAR)** have been established for the search fee for an international search carried out by the **European Patent Office (EPO)**. These amounts, applicable from 1 February 2009, are NOK 14,830, NZD 3,652 and ZAR 21,720, respectively.

Furthermore, also pursuant to PCT Rule 16.1(d), a new equivalent amount in **Swiss francs (CHF)** has been established for the search fee for an international search carried out by the Office. This amount, applicable from 1 March 2009, is CHF 2,525.

[Updating of Annex D(EP) of the *PCT Applicant's Guide*]

IB International Bureau

For the purposes of the **International Bureau** as receiving Office, new equivalent amounts of fees in **US dollars (USD)** have been established. These amounts, applicable from 1 January 2009, are as follows:

| | | |
|--|-------------------------|----|
| Transmittal fee: | USD | 91 |
| Fee for priority document (PCT Rules 17.1(b) and 21.2): | USD | 45 |
| | Supplement for airmail: | |
| | USD | 9 |

[Updating of Annex C(IB) of the *PCT Applicant's Guide*]

IL Israel

The **Israel Patent Office** has notified changes to the amounts of the transmittal fee (PCT Rule 14) and of the fee for the priority document (PCT Rule 17.1(b)), in **new Israel shekels (ILS)**, payable to it as receiving Office. The amounts applicable from 1 January 2009 are ILS 517 and ILS 82, respectively.

[Updating of Annex C(IL) of the *PCT Applicant's Guide*]

Furthermore, the Office has notified a change to the amount of the filing fee component of the national fee, in **new Israel shekels (ILS)**, payable to it as designated (or elected) Office. The amount applicable from 1 January 2009 is ILS 992.

[Updating of the National Chapter, Summary (IL) of the *PCT Applicant's Guide*]

KR Republic of Korea

Further to the announcement published in Official Notices (PCT Gazette) of 11 December 2008, page 156, notifying new amounts of the search fee for a search carried out by the **Korean Intellectual Property Office**, and pursuant to PCT Rule 16.1(b), new equivalent amounts of the search fee have been established in **New Zealand dollars (NZD)**, **Singapore dollars (SGD)** and **US dollars (USD)**. These amounts, applicable from 1 January 2009, are as follows:

| | | | |
|--------------------------|-----------|---------|---------|
| Applications in English: | NZD 1,109 | SGD 919 | USD 609 |
| Applications in Korean: | NZD 554 | SGD 460 | USD 304 |

Furthermore, the Director General of the **World Intellectual Property Organization** has established new equivalent amounts of the search fee (PCT Rule 16) in **Swiss francs (CHF)**, payable for an international search carried out by the **Korean Intellectual Property Office** for the purposes of certain receiving Offices which have specified the Swiss franc (CHF) as a currency of payment but in respect of which the Swiss franc (CHF) is not the official currency. The new amounts, applicable from 1 January 2009, are as follows:

| | | |
|--------------------------|-----|-----|
| Applications in English: | CHF | 735 |
| Applications in Korean: | CHF | 367 |

[Updating of Annex D(KR) of the *PCT Applicant's Guide*]

KR Republic of Korea
IB International Bureau

For the purposes of the payment of fees to the **International Bureau** as receiving Office, new equivalent amounts in **Swiss francs (CHF)** and **euro (EUR)** have been established for the search fee (PCT Rule 16) for an international search carried out by the **Korean Intellectual Property Office**. These amounts, applicable from 1 January 2009, are as follows:

| | | | | |
|--------------------------|-----|-----|-----|-----|
| Applications in English: | CHF | 735 | EUR | 475 |
| Applications in Korean: | CHF | 367 | EUR | 237 |

[Updating of Annex D(KR) of the *PCT Applicant's Guide*]

NO Norway

New equivalent amounts in **Norwegian kroner (NOK)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for one of the reductions under item 3 of the PCT Schedule of Fees. These amounts, applicable from 1 February 2009, are as follows:

| | | |
|---|-----|-------|
| International filing fee: | NOK | 7,740 |
| Fee per sheet in excess of 30: | NOK | 90 |
| Reduction (under PCT Schedule of Fees, item 3): | | |
| PCT-EASY: | NOK | 580 |

[Updating of Annex C(NO) of the *PCT Applicant's Guide*]

NZ New Zealand

New equivalent amounts in **New Zealand dollars (NZD)** have been established for the international filing fee and the fee per sheet in excess of 30, pursuant to PCT Rule 15.2(d), as well as for one of the reductions under item 3 of the PCT Schedule of Fees. These amounts, applicable from 1 February 2009, are as follows:

| | | |
|---|-----|-------|
| International filing fee: | NZD | 1,888 |
| Fee per sheet in excess of 30: | NZD | 21 |
| Reduction (under PCT Schedule of Fees, item 3): | | |
| PCT-EASY: | NZD | 142 |

[Updating of Annex C(NZ) of the *PCT Applicant's Guide*]

SE Sweden

The **Swedish Patent and Registration Office** has notified the International Bureau of a new equivalent amount of the search fee in **Norwegian kroner (NOK)**, payable for an international search carried out by the Office. This amount, applicable from 1 February 2009, is NOK 14,830.

Furthermore, the Office has notified the International Bureau of a new equivalent amount of the search fee in **Swiss francs (CHF)**, payable for an international search carried out by the Office. This amount, applicable from 1 March 2009, is CHF 2,525.

[Updating of Annex D(SE) of the *PCT Applicant's Guide*]

US United States of America

Further to the announcement published in Official Notices (PCT Gazette) of 11 December 2008, page 157, notifying a new amount of the search fee for a search carried out by the **United States Patent and Trademark Office (USPTO)**, and pursuant to PCT Rule 16.1(b), new equivalent amounts of the search fee have been established in **New Zealand dollars (NZD)** and **South African rand (ZAR)**. These amounts, applicable from 12 January 2009, are NZD 3,808 and ZAR 20,434, respectively.

Furthermore, the Director General of the **World Intellectual Property Organization** has established a new equivalent amount of the search fee (PCT Rule 16) in **Swiss francs (CHF)**, payable for an international search carried out by the **United States Patent and Trademark Office (USPTO)** for the purposes of certain receiving Offices which have specified the Swiss franc (CHF) as a currency of payment but in respect of which the Swiss franc (CHF) is not the official currency. The new amount, applicable from 12 January 2009, is CHF 2,467.

[Updating of Annex D(US) of the *PCT Applicant's Guide*]

US United States of America

IB International Bureau

For the purposes of the payment of fees to the **International Bureau** as receiving Office, new equivalent amounts in **Swiss francs (CHF)** and **euro (EUR)** have been established for the search fee (PCT Rule 16) for an international search carried out by the **United States Patent and Trademark Office (USPTO)**. These amounts, applicable from 12 January 2009, are CHF 2,467 and EUR 1,596, respectively.

[Updating of Annex D(US) of the *PCT Applicant's Guide*]

XN Nordic Patent Institute

The **Nordic Patent Institute** has notified new amounts of the search fee (PCT Rule 16.1(a)) and of the additional search fee (PCT Rule 40.2(a)), in **Icelandic kronur (ISK)** and **Norwegian kroner (NOK)**, payable to it as International Searching Authority. These amounts, applicable from 1 February 2009, are, respectively, ISK 255,000 and NOK 14,830 for each of the fees.

[Updating of Annex D(XN) of the *PCT Applicant's Guide*]

MODIFICATIONS OF THE ADMINISTRATIVE INSTRUCTIONS UNDER THE PCT

NOTE PREPARED BY THE INTERNATIONAL BUREAU

Following the adoption by the Assembly of the International Patent Cooperation Union (PCT Union), at its thirty-eighth (22nd extraordinary) session, held in Geneva from 22 September to 30 September 2008, of amendments to the Regulations under the PCT which will enter into force on 1 January 2009 (see Official Notices (PCT Gazette) of 11 December 2008, pages 161 *et seq.*), a number of modifications have been made to Sections 102, 204, 415, 420, 425 and 515 of the Administrative Instructions under the PCT. In addition to the modification of the existing Sections listed above, new Sections 204*bis*, 436, 519 and 520 have been included in the Administrative Instructions under the PCT.

All modifications of the Administrative Instructions under the PCT will apply to international applications filed on or after 1 January 2009, although any modifications providing for supplementary international search will also apply to any international applications for which the time limit outlined in PCT Rule 45*bis*.1(a) expires on, or after, 1 January 2009.

The modifications involve:

- (i) taking into account the amendments to the PCT Regulations adopted by the PCT Assembly which enter into force on January 1, 2009 and which provide for supplementary international search (Sections 102, 415, 420, 425, 436, 519 and 520);
- (ii) the use of headings for certain parts of the description and the numbering of claims in the international application (Sections 204 and 204*bis*);
- (iii) modifications intended to improve the alignment of Section 515 with PCT Rule 38 (Section 515).

After consultation with the interested Offices and Authorities pursuant to PCT Rule 89.2(b), the modifications to Sections 102, 204, 415, 420, 425 and 515, as well as the inclusion of new Sections 204*bis*, 436, 519 and 520 of the Administrative Instructions under the PCT, as set out on the following pages are promulgated with effect from 1 January 2009.

TEXT OF THE MODIFICATIONS OF THE ADMINISTRATIVE INSTRUCTIONS
(to enter into force on 1 January 2009)

Section 102
Use of the Forms

(a) Subject to paragraphs (b) to (i) and Section 103, the International Authorities shall use, or require the use of, the mandatory Forms specified below:

(i) Forms for use by the applicant:

PCT/RO/101 (request Form)
PCT/IPEA/401 (demand Form)

(ii) Forms for use by the receiving Offices:

| | | | |
|------------|------------|------------|------------|
| PCT/RO/103 | PCT/RO/112 | PCT/RO/133 | PCT/RO/154 |
| PCT/RO/104 | PCT/RO/113 | PCT/RO/136 | PCT/RO/155 |
| PCT/RO/105 | PCT/RO/114 | PCT/RO/143 | PCT/RO/156 |
| PCT/RO/106 | PCT/RO/115 | PCT/RO/147 | PCT/RO/157 |
| PCT/RO/107 | PCT/RO/117 | PCT/RO/150 | PCT/RO/158 |
| PCT/RO/109 | PCT/RO/118 | PCT/RO/151 | PCT/RO/159 |
| PCT/RO/110 | PCT/RO/123 | PCT/RO/152 | |
| PCT/RO/111 | PCT/RO/126 | PCT/RO/153 | |

(iii) Forms for use by the International Searching Authorities:

| | | | |
|--------------|--------------|--------------|-------------|
| PCT/ISA/201 | PCT/ISA/209 | PCT/ISA/219 | PCT/ISA/234 |
| PCT/ISA/202 | PCT/ISA/210 | PCT/ISA/220 | PCT/ISA/235 |
| PCT/ISA/203 | PCT/ISA/212 | PCT/ISA/225 | PCT/ISA/236 |
| PCT/ISA/205 | PCT/ISA/217 | PCT/ISA/228 | PCT/ISA/237 |
| PCT/ISA/206 | PCT/ISA/218 | PCT/ISA/233 | |
| PCT/SISA/501 | PCT/SISA/504 | PCT/SISA/507 | |
| PCT/SISA/502 | PCT/SISA/505 | PCT/SISA/510 | |
| PCT/SISA/503 | PCT/SISA/506 | | |

(iv) Forms for use by the International Bureau:

| | | | |
|------------|------------|------------|------------|
| PCT/IB/301 | PCT/IB/319 | PCT/IB/345 | PCT/IB/369 |
| PCT/IB/304 | PCT/IB/320 | PCT/IB/346 | PCT/IB/370 |
| PCT/IB/305 | PCT/IB/321 | PCT/IB/349 | PCT/IB/371 |
| PCT/IB/306 | PCT/IB/323 | PCT/IB/350 | PCT/IB/373 |
| PCT/IB/307 | PCT/IB/325 | PCT/IB/351 | PCT/IB/374 |
| PCT/IB/308 | PCT/IB/326 | PCT/IB/353 | PCT/IB/376 |
| PCT/IB/310 | PCT/IB/331 | PCT/IB/354 | PCT/IB/377 |
| PCT/IB/311 | PCT/IB/332 | PCT/IB/356 | PCT/IB/378 |
| PCT/IB/313 | PCT/IB/335 | PCT/IB/357 | PCT/IB/379 |
| PCT/IB/314 | PCT/IB/336 | PCT/IB/358 | PCT/IB/399 |
| PCT/IB/315 | PCT/IB/337 | PCT/IB/360 | |
| PCT/IB/316 | PCT/IB/338 | PCT/IB/366 | |
| PCT/IB/317 | PCT/IB/339 | PCT/IB/367 | |
| PCT/IB/318 | PCT/IB/344 | PCT/IB/368 | |

(v) Forms for use by the International Preliminary Examining Authorities:

| | | | |
|--------------|--------------|--------------|--------------|
| PCT/IPEA/402 | PCT/IPEA/409 | PCT/IPEA/420 | PCT/IPEA/440 |
| PCT/IPEA/404 | PCT/IPEA/412 | PCT/IPEA/425 | PCT/IPEA/441 |
| PCT/IPEA/405 | PCT/IPEA/414 | PCT/IPEA/431 | PCT/IPEA/442 |
| PCT/IPEA/407 | PCT/IPEA/415 | PCT/IPEA/436 | PCT/IPEA/443 |
| PCT/IPEA/408 | PCT/IPEA/416 | PCT/IPEA/437 | PCT/IPEA/444 |

(b) to (e) [No change]

(f) The notes attached to Forms PCT/RO/101 (request Form), PCT/IB/375 (supplementary search request Form) and PCT/IPEA/401 (demand Form) shall be distributed by the International Authorities concerned together with the printed versions of those Forms. The notes attached to Form PCT/ISA/220 shall accompany the Form when sent to the applicant.

(g) The use of Forms other than those referred to in paragraph (a) is optional.

(h) Where the request or the demand is presented as a computer print-out, such print-out shall be prepared as follows:

(i) the layout and contents of the request and the demand when presented as computer print-outs shall correspond to the format of Forms PCT/RO/101 (request Form) and PCT/IPEA/401 (demand Form) (“the printed Forms”), with the same information being presented on the corresponding pages;

(ii) all boxes shall be drawn by solid lines; double lines may be presented as single lines;

(iii) the box numbers and box titles shall be included even where no information is supplied therein;

(iv) the boxes for use by the International Authorities shall be at least as large as those on the printed Forms;

(v) all other boxes shall be within one cm in size of those on the printed Forms;

(vi) all text shall be 9 points or larger in size;

(vii) titles and other information shall be clearly distinguished;

(viii) explanatory notes presented in italics on the printed Forms may be omitted.

(i) [No change]

Section 204

Headings of the Parts of the Description

(a) The headings of the parts of the description shall preferably be as follows:

(i) and (ii) [No change]

(iii) for matter referred to in Rule 5.1(a)(iii), “Disclosure of Invention” or “Summary of Invention”;

(iv) [No change]

(v) for matter referred to in Rule 5.1(a)(v), “Best Mode for Carrying out the Invention,” or, where appropriate, “Mode(s) for Carrying out the Invention” or “Description of Embodiments”;

(vi) to (viii) [No change]

(b) The heading “Title of the Invention” shall preferably precede the title of the invention.

Section 204bis
Numbering of Claims

The number of each claim referred to in Rule 6.1(b) shall preferably be preceded by the expression “Claim” (for example, “Claim 1”, “Claim 2”, “Claim 3”).

Section 415
Notification of Withdrawal under Rule 90bis.1, 90bis.2, 90bis.3, 90bis.3bis or 90bis.4

(a) The fact of withdrawal by the applicant of the international application under Rule 90bis.1, of designations under Rule 90bis.2, or of a priority claim under Rule 90bis.3, together with the date on which the notice effecting withdrawal reached the International Bureau, the International Preliminary Examining Authority or the receiving Office, shall be recorded by the International Bureau and promptly notified by it to the receiving Office, the applicant, the designated Offices affected by the withdrawal and, where the withdrawal concerns the international application or a priority claim and where the international search report, or the declaration referred to in Article 17(2)(a), and the written opinion of the International Searching Authority have not yet issued, the International Searching Authority. However, where the withdrawal concerns the international application and where the notice effecting withdrawal was filed with the receiving Office before the sending of the record copy to the International Bureau, that Bureau shall send the notifications referred to in the preceding sentence and in Rule 24.2(a) to the receiving Office and the applicant only.

(b) If, at the time of the withdrawal of the international application under Rule 90bis.1, or of a priority claim under Rule 90bis.3, a demand has already been submitted and the international preliminary examination report has not yet issued, the International Bureau shall, unless the notice effecting withdrawal was submitted to the International Preliminary Examining Authority, promptly notify the fact of withdrawal to that Authority, together with the date on which the notice effecting withdrawal has reached the International Bureau or the receiving Office.

(c) If, at the time of the withdrawal of the international application under Rule 90bis.1, or of a priority claim under Rule 90bis.3, a supplementary search request has already been submitted and the supplementary international search report has not yet been established, the International Bureau shall promptly notify the fact of withdrawal to the Authority specified for supplementary search, together with the date on which the notice effecting withdrawal has reached the International Bureau or the receiving Office.

(d) The fact of withdrawal by the applicant of the supplementary search request under Rule 90bis.3bis, together with the date on which the notice effecting withdrawal was, or was considered to have been, submitted to the International Bureau, shall be promptly notified by that Bureau:

- (i) to the applicant, and
- (ii) to the Authority specified for supplementary search, unless the notice effecting withdrawal was submitted to that Authority.

(e) The fact of withdrawal by the applicant of the demand or of one or more elections under Rule 90bis.4, together with the date on which the notice effecting withdrawal was, or was considered to have been, submitted to the International Bureau, shall be promptly notified by that Bureau:

- (i) to the applicant,
- (ii) to each elected Office affected by the withdrawal, except where it has not yet been notified of its election, and

(iii) in the case of withdrawal of the demand or of all elections, to the International Preliminary Examining Authority, unless the notice effecting withdrawal was submitted to that Authority.

Section 420
Copy of International Application, International Search Report
and Supplementary International Search Report
for the International Preliminary Examining Authority

(a) Where the International Preliminary Examining Authority is not part of the same national Office or intergovernmental organization as the International Searching Authority, the International Bureau shall, promptly upon receipt of the international search report or, if the demand was received after the international search report, promptly upon receipt of the demand, send a copy of the international application, the international search report and, where applicable, a copy of the English translation of the said report to the International Preliminary Examining Authority. In cases where, instead of the international search report, a declaration under Article 17(2)(a) was issued, references in the preceding sentence to the international search report shall be considered references to the said declaration.

(b) Where an Authority specified for supplementary search has established a supplementary international search report under Rule 45*bis*.7, and the International Preliminary Examining Authority is not part of the same national Office or intergovernmental organization as the Authority specified for supplementary search, the International Bureau shall, promptly upon receipt of the supplementary international search report, send a copy of the supplementary international search report and, where applicable, a copy of the English translation of the said report to the International Preliminary Examining Authority (Rule 45*bis*.8(c)). In cases where, instead of the supplementary international search report, a declaration under Article 17(2)(a) was issued, references in the preceding sentence to the supplementary international search report shall be considered references to the said declaration.

Section 425
Notifications Concerning Representation

Where a power of attorney or a document containing the revocation or renunciation of an appointment is submitted to the International Bureau, the International Bureau shall immediately notify the receiving Office, the International Searching Authority, the Authority specified for supplementary search and the International Preliminary Examining Authority by sending them a copy of the power of attorney or document and shall record a change in the indications concerning the agent or common representative under Rule 92*bis*. In the case of a renunciation of an appointment, the International Bureau shall also notify the applicant. Where the International Bureau receives a notification concerning representation under Section 328, it shall immediately notify the Authority specified for supplementary search and the International Preliminary Examining Authority accordingly.

Section 436
Preparation, Identification and Transmittal
of the Copies of the Translation of the International Application

Where, for the purposes of a supplementary international search, a translation of the international application is furnished under Rule 45*bis*.1(c)(i), the International Bureau shall mark the words “TRANSLATION (RULE 45*bis*.1(c)(i))” in the upper left-hand corner of the first page of the translation and transmit a copy of that translation to the Authority specified for the supplementary search.

Section 515

Modification of Abstract in Response to Applicant's Comments

The International Searching Authority shall inform the applicant and the International Bureau of any modifications made by it to an abstract under Rule 38.3.

Section 519

**Notification of Receipt of Copy of International Application
for the Purposes of Supplementary International Search**

The Authority specified for supplementary search shall promptly notify the International Bureau and the applicant of the fact and the date of receipt of the copy of the international application for the purposes of the supplementary international search.

Section 520

Withdrawal by Applicant under Rule 90*bis.3bis*

The Authority specified for supplementary search shall promptly transmit to the International Bureau any notice from the applicant effecting withdrawal of the supplementary search request under Rule 90*bis.3bis* which has been filed with it. The Authority specified for supplementary search shall mark the notice with the date on which it was received.

B1
ME

Information on Contracting States

B1
ME

MONTENEGRO

General information

| | |
|--|---|
| Name of Office: | Zavod za intelektualnu svojinu Intellectual Property Office (Montenegro) |
| Location and mailing address: | Bulevar Revolucije 5, Podgorica, Montenegro |
| Telephone: | (382) 20 246 499 |
| Facsimile machine: | (382) 20 246 496 |
| E-mail: | ziscg@cg.yu |
| Internet: | www.gov.me |
| Competent receiving Office for nationals and residents of Montenegro: | International Bureau of WIPO (see Annex C) |
| May Montenegro be elected? | Yes (bound by Chapter II of the PCT) |
| Types of protection available via the PCT: | Patents |
| Provisions of the law of Montenegro concerning international-type search: | None |

B1

Information on Contracting States

B1

OM

OMAN

OM

General information

Name of Office: Intellectual Property Department, Ministry of Commerce and Industry

Location and mailing address: P.O. Box 550, Postal Code 113, Muscat, Oman

Telephone: (968) 2477 4126

Facsimile machine: (968) 2481 2030

E-mail: ummfahad2007@yahoo.com

Internet: www.mocioman.gov.om

Does the Office accept the filing of documents by means of telecommunication (PCT Rule 92.4)? No

Would the Office accept evidence of mailing a document, in case of loss or delay, where a delivery service other than the postal authorities is used (PCT Rule 82.1)? Yes

Competent receiving Office for nationals and residents of Oman: International Bureau of WIPO (see Annex C)

Competent designated (or elected) Office if Oman is designated (or elected): Intellectual Property Department, Ministry of Commerce and Industry

May Oman be elected? Yes (bound by Chapter II of the PCT)

Types of protection available via the PCT: Patents and utility models

Provisions of the law of Oman concerning international-type search: None

Provisional protection after international publication: None

Information of interest if Oman is designated (or elected)

Time when the name and address of the inventor must be given if Oman is designated (or elected): Must be in the request. If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit fixed in the invitation.

Are there special provisions concerning the deposit of microorganisms and other biological material? Yes (see Annex L)