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Electronic Filing and Processing of International Applications

International Bureau as receiving Office prepared to receive and process international applications in electronic form

The International Bureau as receiving Office (RO/IB) has announced that, with effect from 25 August 2003, it is prepared to receive international applications in electronic form **provided that they are filed by users already registered with the RO/IB for that purpose under the PCT-SAFE pilot**. Electronic filing will be introduced on a wider basis when the electronic systems so permit, at which stage a further announcement will be published in the *PCT Newsletter*.

Information on the RO/IB's requirements and practices with regard to the filing of international applications in electronic form was published in *PCT Gazette* No. 34/2003, Section IV, page 19248, and is available on the PCT website at:

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

First PCT application filed fully electronically at WIPO

Following the announcement by the International Bureau as receiving Office (RO/IB) that it is prepared to receive international applications in electronic form provided that they are filed by users already registered with the RO/IB for that purpose under the PCT-SAFE pilot (see above), the first fully electronic PCT application has been filed with the RO/IB using the PCT-SAFE (Secure Applications Filed Electronically) software. It was filed on

25 August 2003, by the largest user of the PCT, Philips (Koninklijke Philips Electronics N.V.). This was also the first electronic filing of an international application where the text of the description, claims and abstract was in a character-coded format.

This filing marks the start of a transition out of the pilot test phase for the software, which began on 27 November 2002 (see *PCT Newsletter* No. 09/2002). During the pilot test phase, 49 applicants from around the world have been testing and evaluating the PCT-SAFE system by filing international applications using the PCT-SAFE software, along with a paper copy of the application (the legally determinative copy), with the

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www.wipo.int/pct/en

**Selection of
PCT Materials on the Internet
(www.wipo.int/pct/en/)**

Home page, with links to what's new on the site
PCT Information Service

PCT filing

- *Basic Facts about the PCT*
- Forms
- Fees
- Direct filing of PCT applications with the International Bureau as PCT receiving Office
- *PCT Applicant's Guide*

PCT-EASY

PCT-SAFE

PCT legal texts and guidelines

- About the Treaty
- Texts of the Patent Cooperation Treaty, Regulations and Administrative Instructions and search facility for Articles under the PCT
- PCT Receiving Office Guidelines
- PCT International Search Guidelines
- PCT International Preliminary Examination Guidelines
- PCT Contracting States
- Reservations and incompatibilities
- Notifications concerning non-applicability of modified time limit under PCT Article 22(1)
- PCT legal text index

PCT Gazette

PCT news

Seminar calendar and seminar materials

PCT meetings

- PCT Assembly and various committees

PCT Information Service

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RO/IB. The filing by Philips is significant in that it is the first fully electronic filing where the electronic copy is the legally determinative copy, and where an accompanying paper copy was not required.

It is expected that the PCT-SAFE software, which is currently available to PCT users registered under the pilot test phase, will be available to all PCT users by the end of 2003. Applicants will be able to submit validated applications electronically, either on-line or using physical media such as CD-R, without the printing, copying and mailing which is usually required, and will be notified almost immediately that their application has been received and is being processed.

Applicants who currently file PCT applications containing the request prepared using the PCT-EASY software (some 43% of all PCT applications are filed in this way) will find the PCT-SAFE software familiar as it is based on an enhanced version of the PCT-EASY software. Note that use of the PCT-EASY software is steadily increasing, and the number of PCT-EASY registered users has surpassed 11,000, increasing by nearly 14% since the beginning of 2003.

A WIPO press release (PR/2003/350) was published on 26 August 2003 to mark the occasion of the first PCT application to be filed fully electronically at WIPO, and is available on the WIPO website at:

www.wipo.int/pressroom/en/releases/2003/p350.htm

Reminder

The time limit fixed in PCT Article 22(1), as modified with effect from 1 April 2002, is not compatible with the laws of the following States:

BR Brazil
CH Switzerland
CS Serbia and Montenegro
FI Finland
LU Luxembourg
NO Norway
SE Sweden
SG Singapore
TZ United Republic of Tanzania
UG Uganda
ZM Zambia

PCT Quiz

The claims in an international application may be amended under PCT Article 19:

(a) at any time during the international phase until the date of completion of technical preparations for international publication (or until the expiration of two months from the date of receipt of the international search report, whichever occurs later);

(b) at any time between the date of transmittal of the international search report and the date of completion of technical preparations for international publication (or the expiration of two months from the date of receipt of the international search report, whichever occurs later);

(c) at any time between the date of receipt of the international search report and the expiration of the time limit under PCT Article 22(1) for entry into the national phase.

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

www.wipo.int/pct-safe

Also, a booklet on PCT-SAFE (WIPO Publication No. 496) is available from the Marketing and Distribution Section at WIPO:

fax: (41–22) 740 18 12

e-mail: publications.mail@wipo.int

mailing

address: see opposite

Specific questions can also be addressed to the PCT-SAFE Help Desk via e-mail at:

pctsafe.help@wipo.int ■

PCT Rule 49.6: Withdrawal of Notification of Incompatibility

Belarus

Further to its notification of the incompatibility of PCT Rule 49.6, as amended with effect from 1 January 2003, with its national law (see *PCT Newsletter* No. 02/2003, page 5), the National Center of Intellectual Property (Belarus), in its capacity as designated Office, has notified the

International Bureau that it has withdrawn the said notification with effect from 1 August 2003. Amended PCT Rule 49.6, concerning reinstatement of rights after failure to perform the acts referred to in PCT Article 22 (entry into the national or regional phase) therefore applies as from that date.

The Office has provided the International Bureau with further information in relation to obtaining such reinstatement of rights, as follows:

“...an applicant who failed to perform the acts referred to in PCT Article 22 within the applicable time limit can, as from 1 August 2003, obtain reinstatement of his rights with respect to his international application upon submitting a request to that effect to the National Center of Intellectual Property.

“The request must be submitted and the acts referred to in PCT Article 22 must be performed within a period of no later than 12 months from the date of expiration of the applicable time limit under PCT Article 22.

“The applicant must state in the request legitimate reasons for the failure to comply with the applicable time limit under PCT Article 22, i.e. only show that the failure to observe the deadline was not a deliberate act. No documentary evidence will be required. The applicant will have to pay a prescribed reinstatement fee which is currently 200 USD.” ■

PCT Publications

Indication of certain “WO” numbers in Section II of the *PCT Gazette*

—*corrigendum*

It is recalled that the system of numbering of international publications of PCT applications was modified with effect from 1 July 2002 to allow for a six-digit number, instead of a five-digit number (see *PCT Newsletter* No. 11/2001).

However, the necessary modifications in the format of the international publication numbers (“WO” numbers) were inadvertently not made as from that date in one particular table published in Section II of the *PCT Gazette*, namely, the table containing the list of international applications in respect of which a demand for international preliminary examination

was filed prior to the expiration of 19 months from the priority date, and which contains the WO number under which each application was published. In other words, in the above-mentioned tables contained in *PCT Gazette* Nos. 27/2002, dated 4 July 2002, to 36/2003, dated 4 September 2003, the WO numbers were made up of only five digits.

Whereas this should not affect WO numbers with a serial number of 99999 and less, which only have five digits anyway (and so, under a six-digit system, would simply have had an extra zero in front of the number), all numbers of 100000 or more have lost the first digit, and could therefore correspond to an already-existing WO number (for example, WO 02/123456 appeared as WO 02/23456). The tables which contain such erroneously shortened numbers were published in *PCT Gazette* Nos. 02/2003, dated 9 January 2003, to 36/2003, dated 4 September 2003.

A corrected version of all the relevant entries from these tables is being published in the form of a consolidated table, appearing on pages 21189 to 21212 of *PCT Gazette* No. 38/2003. ■

PCT Gazette Index 2002

A bilingual (English/French) 2002 Index of the *PCT Gazette* was published on 28 August 2003. The Index is over 2,500 pages long and consists of five volumes. It contains, for international applications published in 2002, a consolidated version of the indexes published in Section III and an index to Section IV and to the Special Issues of the *PCT Gazette*.

The indexes relating to Section III are of:

- (1) international application numbers and corresponding international publication numbers;
- (2) names of applicants and corresponding international publication numbers; and
- (3) international publication numbers grouped according to International Patent Classification symbols.

The part relating to Section IV contains indexes of the notices and information of a

general character which were published during 2002 in Section IV of the *PCT Gazette*.

The Index has been mailed to subscribers to the *PCT Gazette*. For those who do not subscribe to the *PCT Gazette*, a limited stock of the Index is available for purchase at a price of 24 Swiss francs or 15 US dollars by regular mail, and 28 Swiss francs or 17 US dollars by priority mail. Orders should be addressed to the Marketing and Distribution Section at WIPO:

fax: (41–22) 740 18 12
e-mail: publications.mail@wipo.int
mailing
address: see address on page 2

Note that the index for 2002 is the last one that will be published on paper—as from next year, the Index will be published on CD-ROM or DVD-ROM. ■

PCT Information Update

EA Eurasian Patent Office (fax number)

The fax number of the Eurasian Patent Office has changed, as follows:

fax: (70–95) 928 63 91

(Updating of *PCT Applicant's Guide*, Vol. I/A, Annex B2 (EA))

IB International Bureau (filing of international applications in electronic form)

See cover page.

IN India (restrictions for applicants filing with the International Bureau as receiving Office)

The Patent Office (India) has notified restrictions for applicants filing an international application with the International Bureau as receiving Office, as follows:

An Indian resident shall not file an international application direct at the International Bureau of WIPO for an invention relevant to defence purposes or related to atomic energy: (i) except under the authority of a written permit granted by or on behalf of the

Controller; or (ii) except where an application for a patent for the same invention has been made in India and not less than six weeks have elapsed without any direction having been given by the Controller prohibiting publication or communication of the same. These restrictions do not apply in relation to an invention for which an application for protection has first been filed in a country outside India by a person resident outside India.

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

PT Portugal (fees)

The amounts of the following fees, payable to the National Institute of Industrial Property (Portugal) as receiving Office, have changed:

transmittal fee: see Table I(a)

fee for priority document: EUR 35

The amounts of the following national fees, payable to the Office as designated (or elected) Office, have changed:

for patent:

filing fee: EUR 110

examination fee: EUR 200

fee for submission of any document: EUR 5

for utility model:

filing fee: EUR 110

examination fee:* EUR 200

fee for submission of any document: EUR 5

* Whenever examination is requested.

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

UA Ukraine (time limit for entry into the national phase)

The Ukraine Patent Office has notified a change in the time limit applicable for entry into the national phase under PCT Article 22(3) before it as a designated Office. The new time

limit, applicable since 25 June 2003, is 31 months from the priority date.

(Updating of *PCT Applicant's Guide*, Vol. II/D, National Chapter, Summary (UA))

US United States of America (fees)

As from 1 October 2003, the amounts of some of the national fees, payable to the United States Patent and Trademark Office as designated (or elected) Office, will change. The new amounts are set out on provisional sheets for the *PCT Applicant's Guide*, Vol. II/D, National Chapter, Summary (US).

Language(s) accepted for the filing of requests: notification by receiving Offices under PCT Rule 12.1(c) (Finland, Trinidad and Tobago)

Under amended PCT Rule 12.1(c), which entered into force on 1 January 2003, the receiving Offices of the following States have notified the International Bureau of the language(s) which they are prepared to accept for the filing of requests, as follows:

FI	Finland	English
TT	Trinidad and Tobago	English

This updates the table published in *PCT Newsletter* No. 01/2003, on page 10, and *PCT Applicant's Guide*, Vol. I/B, Annex C (FI and TT).

Search fee (European Patent Office, Swedish Patent Office, United States Patent and Trademark Office)

As from 1 October 2003, there will be changes in the equivalent amounts payable in NOK for an international search carried out by the Swedish Patent Office and in ZAR for an international search carried out by the United States Patent and Trademark Office; as from 1 December 2003, there will be changes in the equivalent amounts payable in ISK and ZAR for an international search carried out by the European Patent Office, and in ISK for an international search carried out by the Swedish Patent Office, as indicated in Table I(b).

(Updating of *PCT Applicant's Guide*, Vol. I/B, Annex D (EP, SE and US)) ■

Budapest Treaty

List of States party to the Budapest Treaty; list of intergovernmental industrial property organizations having filed a declaration of acceptance under Article 9(1)(a) of that Treaty

It is recalled that the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure, which was concluded in 1977, permits the disclosure of an invention involving a microorganism or the use of a microorganism by effecting a deposit of a sample of the microorganism with a specialized institution. It

thus eliminates, before the national patent Offices of the Contracting States of the Budapest Treaty and the regional Offices that have filed a declaration of acceptance under Article 9(1)(a) of the Treaty, the need to deposit such a sample in each country in which protection is sought.

Three States have become party to the Budapest Treaty since the publication, in *PCT Newsletter* No. 09/2002, of a table setting out the States party to that Treaty and the intergovernmental industrial property organizations which have filed a declaration of acceptance under Article 9(1)(a) of the Treaty. An update of the table appears below. ■

States party to the Budapest Treaty (situation on 1 September 2003)		
AL	Albania ¹ (from 19 September 2003)	GR Greece
AT	Austria	HR Croatia
AU	Australia	HU Hungary
AZ	Azerbaijan ¹ (from 14 October 2003)	IE Ireland
BE	Belgium	IL Israel
BG	Bulgaria	IN India
BY	Belarus	IS Iceland
CA	Canada	IT Italy
CH	Switzerland	JP Japan
CN	China	KG Kyrgyzstan ¹
CS	Serbia and Montenegro	KP Democratic People's Republic of Korea
CU	Cuba	KR Republic of Korea
CZ	Czech Republic	KZ Kazakhstan
DE	Germany	LI Liechtenstein
DK	Denmark	LT Lithuania
EE	Estonia	LV Latvia
ES	Spain	MC Monaco
FI	Finland	MD Republic of Moldova
FR	France	MK The former Yugoslav Republic of Macedonia
GB	United Kingdom	MX Mexico
		NL Netherlands
		NO Norway
		PH Philippines
		PL Poland
		PT Portugal
		RO Romania
		RU Russian Federation
		SE Sweden
		SG Singapore
		SI Slovenia
		SK Slovakia
		TJ Tajikistan
		TR Turkey
		TT Trinidad and Tobago
		UA Ukraine
		US United States of America
		UZ Uzbekistan
		ZA South Africa
		(Total: 58 States)
Intergovernmental industrial property organizations having filed a declaration of acceptance under Article 9(1)(a) of the Budapest Treaty		
AP	African Regional Industrial Property Organization (ARIPO)	
EA	Eurasian Patent Organization (EAPO)	
EP	European Patent Organisation (EPO)	
1.	New since last publication of this list in <i>PCT Newsletter</i> No. 09/2002	

New/updated PCT Materials on the Internet

Receiving Office forms

As part of its efforts to facilitate the work of those industrial property Offices which function as PCT receiving Offices, the International Bureau has created a set of receiving Office (RO) forms in editable PDF format which is available on the PCT website. In particular, these forms may be of interest to small and medium-sized receiving Offices which have not otherwise automated the PCT portion of their operations.

The collection of RO forms currently exists in English and French and is available on the PCT website at the following addresses:

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

www.wipo.int/pct/fr/forms/ro/index.htm

From this page on the PCT website it is possible to complete and print out individual RO forms or download the entire collection in Zip format. Useful advice and tips on the completion of editable forms can be obtained from:

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

www.wipo.int/pct/fr/forms/instructions.htm

Note that it is also possible to receive a copy of this forms collection from the International Bureau on CD-R by sending a request by e-mail to: pct.legal@wipo.int. ■

Interruption in the US Postal Service

The United States Patent and Trademark Office (USPTO) has announced that the power outage on 14 August 2003 resulted in a number of United States Postal Service post offices throughout the Northeast and Midwest United States being closed or not accepting mail. The USPTO has designated this incident as a postal service interruption and an emergency within the meaning of 35 U.S.C. § 21(a) and 37 CFR 1.6(e), which started on 14 August 2003 and ended on 16 August 2003.

For further information, see the announcement that was published on the USPTO website at:

www.uspto.gov/web/offices/pac/dapp/opla/preognotice/uspsoutage.htm ■

Practical Advice

Requests for payment of fees unrelated to the processing of international applications under the PCT

Q: I am acting as agent for a number of PCT applications, and have just received invitations, entitled "Offer/Registration of the Patent," to pay fees within 14 days for certain services in connection with some of those PCT applications. The invitation contains details about the PCT applications concerned, such as the international application number, the international publication date and the international filing date, and refers to the publication of the PCT applications in the "international patent gazette (PZT-Gazette)."

Is this service linked with the International Bureau of WIPO?

A: The invitation you refer to *does not come from the International Bureau (IB) of WIPO and is in no way linked to the processing of international applications under the PCT.*

Whatever registration services might be offered in the above-mentioned invitations, they bear no connection to WIPO or to any of its official publications.

It is the International Bureau of WIPO alone which publishes all PCT applications promptly after the expiration of 18 months from the priority date (see PCT Article 21(2)(a)). There is no separate fee for such international publication and the legal effects of international publication are set out in PCT Article 29.

Note that it has come to our attention that a number of requests for payment similar to the one you have received have been received by PCT applicants and agents from what appear to be different sources. The ones we have been informed about have come from:

- The Central Data-Register of International Patents (it is recalled that a warning was given about invitations from here in *PCT Newsletter No. 09/2002*);
- The Register of International Patent Bulletin/Registre des données bulletin européen des brevets; and
- The Institut of Commerce for Industry, Trade, Commerce/Wirtschaftsinstitut für Industrie, Handel, Handwerk AG.

The invitations to pay fees often identify a particular PCT application by its international publication number, publication date, title of invention, international application number, priority information and IPC symbols. They typically refer to a payment, which is to be made in euro or US dollars, by cheque and/or money transfer to an address in Germany or Switzerland. Further information, including links to examples of various invitations of a similar nature which have been received by PCT applicants or agents from the three

above-mentioned sources, and sent to the IB for information or clarification, is available on the PCT website at:

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

If you are in any doubt as to such invitations, do not hesitate to contact the PCT Information Service at the IB:

by telephone: (+41–22) 338 8338
by fax: (+41–22) 338 8339
by e-mail: pct.infoline@wipo.int

PCT Seminar Calendar			
Dates and location	Language of seminar	Nature of seminar; WIPO speakers (and others where known)	Organizer and contact numbers
2–3 October 2003 Quezon City (PH)	English	WIPO National Seminar on the Importance of Patent Information and the PCT as a Source of Technical Information WIPO speakers: Mr. Herce-Vigil and Mrs. Simon-Vianès	Intellectual Property Office (Philippines) (Mrs. Emma C. Francisco) Tel: (63–2) 890 48 62 Fax: (63–2) 890 48 62 E-mail: mail@ipophil.gov.ph
10 October 2003 Tokyo (JP)	Japanese	PCT seminar WIPO speaker: Mr. Nakamaki	Japan Patent Office (Regional Branch Administration Section, General Affairs Division) Tel: (81–3) 35 81 11 01 ext. 2107 E-mail: PA02C0@jpo.go.jp
15 October 2003 Nagoya (JP)	Japanese	PCT seminar WIPO speaker: Mr. Nakamaki	Japan Patent Office (Regional Branch Administration Section, General Affairs Division) Tel: (81–3) 35 81 11 01 ext. 2107 E-mail: PA02C0@jpo.go.jp
16 October 2003 Osaka (JP)	Japanese	PCT seminar WIPO speaker: Mr. Nakamaki	Japan Patent Office (Regional Branch Administration Section, General Affairs Division) Tel: (81–3) 35 81 11 01 ext. 2107 E-mail: PA02C0@jpo.go.jp
16–17 October 2003 Boston (US)	English	PCT seminar: “Advanced PCT Practice” WIPO speaker: Mr. Maassel Other speakers: Ms. Bidwell (USPTO) and Mr. Reed (The Procter & Gamble Company (US))	Boston Patent Law Association (Mr. Neil P. Ferraro) Tel: (1–617) 720 35 00 Fax: (1–617) 720 24 41 E-mail: nferraro@wolfgreenfield.com Internet: www.bpla.org
17 October 2003 Munich (DE)	German	Seminar on the latest changes in the PCT system and on the national phase WIPO speaker: Mr. Matthes	Forum Institut für Management GmbH Tel: (49–6221) 500 500 Fax: (49–6221) 500 505 E-mail: Management@Forum-Institut.de
20–21 October 2003 Castries (LC)	English	WIPO National Seminar on the Patent Cooperation Treaty (PCT) and PCT-Related Patent Information WIPO speakers: Mr. Wibowo and Mr. Regis Other speaker: Mr. Vermeesch (Patent Consultant, NL)	Registry of Companies and Intellectual Property (Saint Lucia) (Mrs. Kimberly A. Cenac-Phulgence) Tel: (1–758) 456 04 00 Fax: (1–758) 451 79 89 E-mail: rocip2@candw.lc
22–23 October 2003 Kingstown (VC)	English	WIPO National Seminar on the Patent Cooperation Treaty (PCT) and PCT-Related Patent Information WIPO speakers: Mr. Wibowo and Mr. Regis	Companies Registry and Intellectual Property Office (Saint Vincent and the Grenadines) (Mrs. Kaywanah M. Springer-Martin) Tel: (1–784) 451 28 94 Fax: (1–784) 457 28 98 E-mail: kspringer@caribsurf.com

[continued on next page]

PCT Seminar Calendar [continued]			
Dates and location	Language of seminar	Nature of seminar; WIPO speakers (and others where known)	Organizer and contact numbers
27–28 October 2003 Santa Ana (CA) (US)	English	Advanced PCT seminar WIPO speakers: Mr. Reischle and Mr. Maassel	Orange County Patent Law Association (OCPLA) (Mr. Stefan J. Kirchanski) Tel: (1–310) 734 54 03 Fax: (1–310) 734 52 99 E-mail: skirchanski@ReedSmith.com
30–31 October 2003 San Francisco (US)	English	Advanced PCT seminar WIPO speakers: Mr. Reischle and Mr. Maassel	Intellectual Property International (Ms. Virginia H. Meyer) Tel: (1–415) 289 74 71 Fax: (1–415) 331 60 68 E-mail: IPI@IPISeminars.com Internet: www.ipiseminars.com
3–4 November 2003 Chicago (US)	English	Advanced PCT training course WIPO speakers: Mr. Reischle and Mr. Maassel	The John Marshall Law School Department of Event Management Tel: (1–312) 987 14 20 Fax: (1–312) 427 71 28 E-mail: Events@jmls.edu
4–5 November 2003 Mahé (SC)	English	WIPO National Seminar on the PCT WIPO speakers: Mr. Wang and Mr. Nyagua Other speaker: Mr. Kiige (Director Technical, African Regional Intellectual Property Organization (ARIPO))	Department of Legal Affairs, Registration Division (Mr. Cedric Gustave Dodin) Tel: (248) 22 49 04 Fax: (248) 22 57 64 E-mail: regdiv@seychelles.sc
14 November 2003 London (GB)	English	PCT presentation at the Annual Senior Patent Administrators' Conference WIPO speaker: Mr. Reischle	Management Forum Ltd Tel: (44–1483) 57 00 99 Fax: (44–1483) 53 64 24 E-mail: josephine.leak@management-forum.co.uk
18–19 November 2003 Tirana (AL)	English	WIPO National Seminar on the Importance of Patent Information and the PCT as a Source of Technical Information WIPO speakers: Mr. Herce-Vigil and Mrs. Simon-Vianès	Albanian Patent and Trademark Office Tel: (355–42) 344 12 Fax: (355–42) 344 12
9–10 December 2003 Paris (FR)	French	Basic PCT seminar on PCT procedures WIPO speakers: Mr. Baron and Mr. Genin	Institut national de la propriété industrielle (INPI) (Mrs. Christiane Sadrin) Tel: (33–1) 53 04 55 76 Fax: (33–1) 42 93 63 52
10 December 2003 London (GB)	English	PCT-EASY Workshop WIPO speaker: Mrs. Featherby	Management Forum Ltd Tel: (44–1483) 57 00 99 Fax: (44–1483) 53 64 24 E-mail: josephine.leak@management-forum.co.uk
11–12 December 2003 London (GB)	English	Advanced PCT course WIPO speaker(s): Mr. Barmes and Mr. Reischle	Management Forum Ltd (see above)

PCT Fee Tables

The following Tables show the amounts and currencies of the main PCT fees which are payable to the receiving Offices (ROs) and the International Preliminary Examining Authorities (IPEAs) during the international phase under Chapter I (Tables I(a) and I(b)) and under Chapter II (Table II). Fees which are payable only in particular circumstances are not shown; nor are details of certain reductions and refunds which may be available; such information can be found in the *PCT Applicant's Guide*, Vol. I/B, Annexes C, D and E. Note that all amounts are subject to change due to variations in the fees themselves or fluctuations in exchange rates. The total amount of the basic fee and designation fee may be reduced by CHF 200 under certain circumstances where the request is prepared using the PCT-EASY software or where the international application is filed in electronic form, as prescribed; see footnotes 2 and 7 for details. A 75% reduction in the basic fee, the fee per sheet over 30, the designation fee and the handling fee, as well as an exemption from the transmittal fee payable to the International Bureau as receiving Office, is also available to applicants from certain States; see footnote 12 for details. (Note that if both the CHF 200 reduction and the 75% reduction are applicable, the 75% reduction is calculated **after** the CHF 200 reduction.) The footnotes to the Fee Tables follow Table II.

Key to abbreviations used in fee tables:

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

Table I(a) — Transmittal, basic and designation fees
(as at 1 September 2003, unless otherwise indicated)

RO	Transmittal fee ¹	Basic fee ^{1,2,3} (CHF 650)	Fee per sheet over 30 ^{1,2,3,4} (CHF 15)	Designation fee ^{1,2,3,5,6} (CHF 140)	PCT-EASY reduction ^{2,7} (CHF 200)	Competent ISA(s) ⁸
AE	AED ⁹ —	AED eq CHF 650	15	140	n a	AT AU
AG	Information not yet available					
AL	ALL 9,000	CHF 650	15	140	n a	EP
AM	AMD 32,000	USD 476	12	104	148	EP RU
AP	USD 50 (or eq in local currency)	USD 476	12	104	148	AT EP SE
AT	EUR 50	EUR 444	10	96	137	EP
AU	AUD 100	AUD 746	17	161	230	AU
AZ	AZM 55,000	USD 476	12	104	n a	EP RU
BA	EUR 25.56	EUR 444	10	96	137	EP
BE	EUR 40	EUR 444	10	96	137	EP
BG	BGL 60	BGL eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	EP RU
BR	BRR 236	BRR eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	AT EP SE US
BY	BYR eq USD 70	USD 476	12	104	n a	EP RU
BZ	BZD 220	USD 476	12	104	148	EP
CA	CAD 200	CAD 730	17	157	224	EP

[continued on next page]

Table I(a) — Transmittal, basic and designation fees [continued]
(as at 1 September 2003, unless otherwise indicated)

RO	Transmittal fee ¹	Basic fee ^{1,2,3} (CHF 650)	Fee per sheet over 30 ^{1,2,3,4} (CHF 15)	Designation fee ^{1,2,3,5,6} (CHF 140)	PCT-EASY reduction ^{2,7} (CHF 200)	Competent ISA(s) ⁸
CH	CHF 100	CHF 650	15	140	200	EP
CN	CNY 500	CNY eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	CN
CO	COP ⁹ —	COP eq USD 476	eq USD 12	eq USD 104	eq USD 148	AT, EP, ES, RU
CR	USD 175	USD 476	12	104	148	EP ES
CS	YUD 3,000	YUD eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	EP
CU	USD (or eq CUP)200	USD (or eq CUP)476	12	104	148	AT EP ES RU
CY	CYP 75	CYP 258	6	56	n a	EP
CZ	CZK 1,500	CZK eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	EP
DE	EUR 90	EUR 444	10	96	137	EP
DK	DKK 1,500	DKK 3,300	80	710	1,020	EP SE
DM	Information not yet available					
DZ	DZD None	CHF 650	15	140	200	AT EP
EA	RUR eq USD 50	USD 476	12	104	148	EP RU
EC	USD ⁹ —	USD 476	12	104	148	EP ES
EE	EEK 1,800	EEK eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	EP
EP ⁷	EUR 100	EUR 444	10	96	137 ⁷	EP
ES	EUR 62.74	EUR 444	10	96	137	EP ES
FI	EUR 135	EUR 444	10	96	137	EP SE
FR	EUR 60	EUR 444	10	96	137	EP
GB	GBP 55	GBP 278	6	60	86	EP
GD	Information not yet available					
GE	GEL ¹⁰ 10	USD 476	12	104	148	EP RU
GH	GHC ¹¹ 2,500 or 5,000	USD 476	12	104	n a	AT AU CN EP SE
GR	EUR 115	EUR 444	10	96	137	EP
HR	HRK 200	HRK eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	EP
HU	HUF 10,000	HUF eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	EP RU
IB	CHF ¹² 100 or USD ¹² 60 or EUR ¹² 68	CHF 650 or USD 476 or EUR 444	15 12 10	140 104 96	200 148 137	See footnote 13
ID	IDR 500,000	IDR eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	AU EP RU
IE	EUR 76.00	EUR 444	10	96	137	EP
IL	ILS 476	USD 476	12	104	148	EP US
IN	INR 5,000 (filing by indiv: 1,500)	USD 476	12	104	148	AT AU CN EP SE US

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Table I(a) — Transmittal, basic and designation fees [continued]
(as at 1 September 2003, unless otherwise indicated)

RO	Transmittal fee ¹	Basic fee ^{1,2,3} (CHF 650)	Fee per sheet over 30 ^{1,2,3,4} (CHF 15)	Designation fee ^{1,2,3,5,6} (CHF 140)	PCT-EASY reduction ^{2,7} (CHF 200)	Competent ISA(s) ⁸
IS	ISK 5,500	ISK 37,400	860	8,000	11,500	EP SE
IT	EUR 30.99	EUR 444	10	96	n a	EP
JP	JPY 18,000	JPY 54,000	1,200	11,600	16,600	EP JP
KE	USD (or KES equiv) ²⁵⁰ plus cost of mailing	USD 476	12	104	148	AT AU CN EP SE
KG	KGS eq USD 100	USD 476	12	104	148	EP RU
KP	KPW eq CHF 50	KPW eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	AT RU
KR	KRW 45,000	KRW 530,000	12,000	114,000	163,000	AT AU JP ¹⁴ KR
KZ	KZT ⁹ —	USD 476	12	104	148	EP RU
LR	USD 45	USD 476	12	104	n a	AT AU CN EP SE
LS	LSM ⁹ —	LSM eq CHF 650	eq CHF 15	eq CHF 140	n a	AT EP
LT	LTL 320	EUR 444	10	96	137	EP RU
LU	EUR 19	EUR 444	10	96	n a	EP
LV	LVL 47.20	USD 476	12	104	148	EP RU
MA	None	CHF 650	15	140	n a	AT EP RU SE
MC	EUR 49 ¹⁵	EUR 444	10	96	n a	EP
MD	MDL 180	USD 476	12	104	148	EP RU
MK	MKD 2,750	MKD eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	EP
MN	None	CHF 650	15	140	200	EP RU
MW	MWK 6,000	MWK 25,000	600	5,400	7,700	EP
MX	MXP ³ eq USD 200	MXP eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	EP ES SE US
NI	USD 175	USD 476	12	104	148	EP ES
NL	EUR 50	EUR 444	10	96	137	EP
NO	NOK 500	NOK 3,560	80	770	1,090	EP SE
NZ	NZD 180 ¹⁶	NZD 890	20	192	274	AU EP US
OA	Information not yet available					
OM	Information not yet available					
PG	Information not yet available					
PH	PHP 3,500	USD 476	12	104	148	AU EP JP KR US
PL	PLZ 300	PLZ eq CHF 650	eq CHF 15	eq CHF 140	n a	EP
PT	EUR 30	EUR 444	10	96	137	EP
RO	ROL 300,000	CHF 650	15	140	200	AT EP RU
RU	RUR 294	USD 476	12	104	148	EP RU
SC	Information not yet available					
SD	SDP 50	SDP eq CHF 650	eq CHF 15	eq CHF 140	n a	EP
SE	SEK 1,200	SEK* 3,940	90	850	1,210	EP SE
SG	SGD 150	SGD 828	19	178	255	AT AU EP
SI	SIT 22,000	SIT eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	EP
SK	SKK 1,600	SKK eq CHF 650	eq CHF 15	eq CHF 140	eq CHF 200	EP
SY	Information not yet available					

[continued on next page]

Table I(a) — Transmittal, basic and designation fees *[continued]*
(as at 1 September 2003, unless otherwise indicated)

RO	Transmittal fee ¹	Basic fee ^{1,2,3} (CHF 650)	Fee per sheet over 30 ^{1,2,3,4} (CHF 15)	Designation fee ^{1,2,3,5,6} (CHF 140)	PCT-EASY reduction ^{2,7} (CHF 200)	Competent ISA(s) ⁸
TJ	TJS ⁹ —	USD 476	12	104	n a	EP RU
TM	USD ⁹ —	USD 476	12	104	148	EP RU
TN	TND ⁹ —	CHF 650	15	140	n a	EP
TR	CHF 100	CHF 650	15	140	200	EP
TT	TTD 750	USD 476	12	104	148	AT EP SE US
UA	UAH 255	USD (or eq UAH) 476	12	104	n a	EP RU
US	USD 240	USD 476	12	104	148	EP US
UZ	USD ⁹ —	USD 476	12	104	148	EP RU
VC	Information not yet available					
VN	VND eq USD 150	VND eq CHF 650	eq CHF 15	eq CHF 140	n a	AT AU EP KR RU SE
ZA	ZAR 500	ZAR 3,580	80	780	1,100	AT AU EP US
ZM	Information not yet available					
ZW	ZWD 6,000	ZWD eq USD 476	eq USD 12	eq USD 104	eq USD 148	AT AU CN EP RU

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

ISA	Search fee ¹									
AT	EUR 159	CHF 230	KRW 222,000	SGD 259	USD 183	ZAR 1,280				
AU	AUD 1,000	CHF 871	EUR 560	KRW 710,000	NZD 1,073	SGD 1,030				
	USD 592	ZAR 4,700								
CN	CNY 1,500	CHF 250	EUR 156	USD 180						
EP ¹⁷	EUR 945	CAD 1,552	CHF 1,383	CYP 550	DKK 7,030	GBP 640				
	ISK* 78,000	JPY 129,500	MWK 53,000	NOK** 7,070	NZD 1,889	SEK 8,720				
	SGD*** 1,780	USD 1,119	ZAR**** 7,860							
	* (from 1.12.03)	ISK 83,000	ZAR 7,930)							
	** (from 1.10.03:	NOK 7,830)								
	*** (from 15.9.03:	SGD 1,930	ZAR 8,760)							
ES ¹⁷	EUR 945	CHF 1,383	USD 1,119							
JP	JPY 72,000	CHF 870	EUR 535	KRW 798,000	USD 611					
KR	KRW 150,000	CHF 163	EUR 130	USD 120						
RU ¹⁸	USD 300	CHF 410	EUR 258							
SE	SEK 8,720	CHF 1,383	DKK 7,030	EUR 945	ISK* 78,000	NOK** 7,070				
	USD 1,119									
	* (from 1.12.03:	ISK 83,000)								
	** (from 1.10.03:	NOK 7,830)								
US	USD 700	450 ¹⁹	CHF 947	609 ¹⁹	EUR 615	395 ¹⁹	NZD 1,270	810 ¹⁹		
	ZAR* 6,000	4,000 ¹⁹								
	* (from 1.10.03:	ZAR 5,300	3,400 ¹⁹)							

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

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

Footnotes to fee tables:

- 1 Payable to the receiving Office in the currency or one of the currencies prescribed by it.
- 2 The total amount of the basic fee and designation fee is reduced by 200 Swiss francs where: (a) the request is presented as a computer print-out prepared using the PCT-EASY software; (b) the request is filed together with a computer diskette, prepared using that software, containing a copy in electronic form of the data contained in the request and of the abstract; and (c) the PCT application is filed with a receiving Office which is prepared to accept the filing of PCT applications containing requests in PCT-EASY format together with PCT-EASY diskettes.
- 3 This fee is reduced by 75% where the applicant or, if there are two or more applicants, each applicant is a natural person and is a national of and resides in Albania, Algeria, Armenia, Azerbaijan, Belarus, Belize, Benin, Bosnia and Herzegovina, *Botswana (from 30 October 2003)*, Brazil, Bulgaria, Burkina Faso, Cameroon, Central African Republic, Chad, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Democratic People's Republic of Korea, Dominica, Ecuador, *Egypt (from 6 September 2003)*, Equatorial Guinea, Estonia, Gabon, Gambia, Georgia, Ghana, Grenada, Guinea, Guinea-Bissau, Hungary, India, Indonesia, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Lesotho, Liberia, Lithuania, Madagascar, Malawi, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nicaragua, Niger, Papua New Guinea, Philippines, Poland, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Serbia and Montenegro, Sierra Leone, Slovakia, South Africa, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Tajikistan, The former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Republic of Tanzania, Uzbekistan, Viet Nam, Zambia or Zimbabwe. For further details, see *PCT Newsletter* No. 10/1995, cover page, No. 11/1995, page 6, and No. 05/1996, cover page.
- 4 Where the PCT application as filed contains a sequence listing part in computer readable form only, or both in that form and on paper, under Section 801 of the PCT *Administrative Instructions*, and where that application is filed with a receiving Office which is prepared to accept such filings, a fixed component of 400 times the fee per sheet over 30 is payable for the sequence listing part, irrespective of the actual length of that part (see Section 803(ii) of the *Administrative Instructions*).
- 5 The maximum number of designation fees payable is five.
- 6 The confirmation fee payable under PCT Rules 4.9(c) and 15.5 is 50% of the designation fee due (taking into account any applicable 75% reduction; see footnote 3).
- 7 The same amount of reduction of the basic and designation fee as indicated in footnote 2 applies where the international application is filed in electronic form in accordance with and to the extent provided for in Part 7 and Annex F of the *Administrative Instructions* and where the international application is filed with a receiving Office which has notified the International Bureau under Section 710 of the *Administrative Instructions* that it is prepared to receive international applications in electronic form—only the European Patent Office and the National Institute of Industrial Property (INPI) (France) have sent such a notification so far.
- 8 For the search fee payable to the receiving Office, consult the entry in Table I(b) for the competent International Searching Authority.
- 9 The amounts are not yet known or, where known, are subject to periodical revision. The Office or the agent should be consulted for the latest applicable schedule of fees.
- 10 This fee is reduced by 80% where the applicant is a natural person.
- 11 The first amount of the transmittal fee is applicable to individuals or entities employing less than 25 persons. The second amount is applicable to entities employing 25 persons or more.
- 12 This fee is not payable in respect of international applications filed by applicants fulfilling the conditions indicated in footnote 3.
- 13 The competent International Searching Authority(ies) for an international application filed with the International Bureau as receiving Office is (are) the Authority(ies) which would have been competent if the international application had been filed with the receiving Office of, or acting for, the Contracting State of which the applicant (or any of the applicants) is a resident or national. See also *PCT Applicant's Guide*, Vol. I/B, Annex C (IB).
- 14 The Japan Patent Office is competent only for international applications in Japanese.
- 15 Plus EUR 1 for the preparation of additional copies, for each page and each copy.
- 16 Plus 12.5% GST (Goods and Services Tax) for New Zealand residents.
- 17 The search fee payable to the EPO and the Spanish Patent and Trademark Office, as well as the preliminary examination fee payable to the EPO, are reduced by 75% where the applicant or, if there are two or more applicants, each applicant is a natural person and is a national of and resides in a State not party to the European Patent Convention, which fulfils the requirements for the corresponding reduction of certain PCT fees as specified in the Schedule of Fees annexed to the PCT Regulations, and in accordance with the decision of the EPO's Administrative Council of 11 October 2000, the text of which was included in *PCT Newsletter* No. 11/2000. The States concerned are those indicated in footnote 3, with the exception of Bulgaria, the Czech Republic, Estonia, Hungary, Romania, Slovakia and Turkey.
- 18 The applicant may, instead of paying the USD amount, pay the equivalent amount in RUR at the exchange rate applicable, on the date of payment, at the Central Bank of the Russian Federation, provided that, in the case of the search fee, the receiving Office accepts payment in RUR.
- 19 Payable when a corresponding prior US national application has been filed under 35 USC 111(a) and the basic filing fee for that US application has been paid.
- 20 Payable to the International Preliminary Examining Authority in the currency or one of the currencies prescribed by it.
- 21 Payable when the international search report was not issued by the Australian Patent Office.
- 22 Payable when the international search report was established by the Russian Patent Office.
- 23 In all cases where footnote 22 does not apply.
- 24 Payable when the international search was not carried out by the United States Patent and Trademark Office (USPTO) (provided that the USPTO is a competent International Preliminary Examining Authority in the particular case—see *PCT Applicant's Guide*, Vol. I/B, Annex C (US)).

PCT Contracting States and Two-letter Codes (122 on 1 September 2003)



AE United Arab Emirates	CN China	GR Greece (EP) ²	MD Republic of Moldova (EA)	SG Singapore
AG Antigua and Barbuda	CO Colombia	GW Guinea-Bissau (OA) ²	MG Madagascar	SI Slovenia (EP) ²
AL Albania ¹	CR Costa Rica	HR Croatia	MK The former Yugoslav Republic of Macedonia ¹	SK Slovakia (EP)
AM Armenia (EA)	CS Serbia and Montenegro	HU Hungary (EP)	ML Mali (OA) ²	SL Sierra Leone (AP)
AT Austria (EP)	CY Cyprus (EP) ²	ID Indonesia	MN Mongolia	SN Senegal (OA) ²
AU Australia	CZ Czech Republic (EP)	IE Ireland (EP) ²	MR Mauritania (OA) ²	SY Syrian Arab Republic
AZ Azerbaijan (EA)	DE Germany (EP)	IL Israel	MW Malawi (AP)	SZ Swaziland (AP) ²
BA Bosnia and Herzegovina	DK Denmark (EP)	IN India	MX Mexico	TD Chad (OA) ²
BB Barbados	DM Dominica	IS Iceland	MZ Mozambique (AP)	TG Togo (OA) ²
BE Belgium (EP) ²	DZ Algeria	IT Italy (EP) ²	NE Niger (OA) ²	TJ Tajikistan (EA)
BF Burkina Faso (OA) ²	EC Ecuador	JP Japan	NI Nicaragua	TM Turkmenistan (EA)
BG Bulgaria (EP)	EG Egypt (from 6 September 2003)	KE Kenya (AP)	NL Netherlands (EP) ²	TN Tunisia
BJ Benin (OA) ²	EE Estonia (EP)	KG Kyrgyzstan (EA)	NO Norway	TR Turkey (EP)
BR Brazil	ES Spain (EP)	KP Democratic People's Republic of Korea	NZ New Zealand	TT Trinidad and Tobago
BW Botswana (from 30 October 2003)	FI Finland (EP)	KR Republic of Korea	OM Oman	TZ United Republic of Tanzania (AP)
BY Belarus (EA)	FR France (EP) ²	KZ Kazakhstan (EA)	PG Papua New Guinea	UA Ukraine
BZ Belize	GA Gabon (OA) ²	LC Saint Lucia	PH Philippines	UG Uganda (AP)
CA Canada	GB United Kingdom (EP)	LI Liechtenstein (EP)	PL Poland	US United States of America
CF Central African Republic (OA) ²	GD Grenada	LR Liberia	PT Portugal (EP)	UZ Uzbekistan
CG Congo (OA) ²	GE Georgia	LS Lesotho (AP)	RO Romania (EP)	VC Saint Vincent and the Grenadines
CH Switzerland (EP)	GH Ghana (AP)	LT Lithuania ¹	RU Russian Federation (EA)	VN Viet Nam
CI Côte d'Ivoire (OA) ²	GM Gambia (AP)	LU Luxembourg (EP)	SC Seychelles	ZA South Africa
CM Cameroon (OA) ²	GN Guinea (OA) ²	LV Latvia ¹	SD Sudan (AP)	ZM Zambia (AP)
	GQ Equatorial Guinea (OA) ²	MA Morocco	SE Sweden (EP)	ZW Zimbabwe (AP)
		MC Monaco (EP) ²		

¹ Extension of European patent possible.

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

Where a State can be designated for a regional patent, the two-letter code for the regional patent concerned is indicated in parentheses (AP = ARIPO patent, EA = Eurasian patent, EP = European patent, OA = OAPI patent).

Important:

This list includes all States that have adhered to the PCT by the date shown in the heading. Any State indicated in **bold italics** has adhered to the PCT but was not yet bound by the PCT on the date of issue of the latest version of the request form. Where any State has adhered to but is not yet bound by the PCT, the date on which it will become bound is shown in parentheses; it cannot be designated in international applications filed before that date. If the applicant wishes to designate, for the purposes of a national patent, any State which is bound by the PCT on the date on which the international application is filed but which is not listed in the request form, he must add it in Box No. V of the request form and mark the corresponding check-box.

Applicants should always use the latest versions of the request form (PCT/RO/101) and demand form (PCT/IPEA/401), updated versions of which are normally issued twice yearly. The latest versions are dated July 2003. The forms are reproduced in Annexes X and Y, respectively, in Vol. I/B of the *PCT Applicant's Guide* (July 2003 update), and can be printed from the WIPO Internet site, in editable PDF format, at: <http://www.wipo.int/pct/en/forms/index.htm>, or obtained from receiving Offices or the International Bureau, or, in the case of the demand form, also from International Preliminary Examining Authorities.

SUMMARY**Designated
(or elected) Office****SUMMARY****US****UNITED STATES PATENT AND
TRADEMARK OFFICE (USPTO)****US****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: Request, description, claims (if amended, both as originally filed and as amended, together with any statement under PCT Article 19), any text matter in the drawings, abstract ² Under PCT Article 39(1): Request, description, claims, any text matter in the 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? ³	Applicant should only send a copy of the international application if he/she has not received Form PCT/IB/308 and the USPTO 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). No copy is required if the international application was filed with the USPTO as receiving Office. A copy of amendments of the claims filed under PCT Article 19 with the International Bureau is required under the conditions indicated in the previous paragraph.

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¹ Must be furnished within the time limit applicable under PCT Article 22 or 39(1). The requirement may still be complied with in response to a notice sent to the applicant, provided that a processing fee is paid for furnishing the translation later.

² If the translation of the amendments is not furnished, the amendments are considered to be cancelled (37 CFR 1.494(d) and 1.495(d)).

³ Must be furnished within the time limit applicable under PCT Article 22 or 39(1).

SUMMARY**Designated
(or elected) Office****SUMMARY****US****UNITED STATES PATENT AND
TRADEMARK OFFICE (USPTO)****US**

[Continued]

National fee:⁴

Currency: US dollar (USD)

Basic national fee (37 CFR 1.492(a)(1)-(5)):⁵

- | | | | | |
|---|-----|-------|--------------------|----------------------------|
| — where a preliminary examination fee has been paid on the international application to the USPTO: | USD | 720 | (360) ⁶ | [730 (365)] ⁷ |
| — where no preliminary examination fee has been paid to the USPTO, but a search fee has been paid on the international application to the USPTO as an International Searching Authority: | USD | 750 | (375) ⁶ | [770 (385)] ⁷ |
| — where no preliminary examination fee has been paid and no search fee has been paid on the international application to the USPTO and no international search report has been prepared by the European Patent Office or the Japan Patent Office: | USD | 1,060 | (530) ⁶ | [1,080 (540)] ⁷ |
| — where an international search report has been prepared by the European Patent Office or the Japan Patent Office: | USD | 900 | (450) ⁶ | [920 (460)] ⁷ |
| — where the international preliminary examination report prepared by the USPTO states that the criteria of novelty, inventive step (non-obviousness) and industrial applicability, as defined in PCT Article 33(1) to (4), have been satisfied for all the claims presented in the international application entering the national phase: | USD | 100 | (50) ⁶ | |

[Continued on next page]

⁴ Certain of these fees are subject to periodic change. The United States Patent and Trademark Office or the *Official Gazette* of the United States Patent and Trademark Office should be consulted for the applicable amounts.

⁵ Must be paid within the time limit applicable under PCT Article 22 or 39(1).

⁶ The amount in parentheses is applicable in case of filing by a “small entity.” “Small entity” status can be established by a simple written assertion of entitlement to “small entity” status, or by payment of the exact amount of one of the “small entity” basic national fees set forth in 37 CFR 1.492 (a)(1) to (5) (see 37 CFR 1.27 and the *PCT Applicant's Guide*, Volume II, Annex US.V). Fees are subject to periodic change. Current PCT-related fees can be found in the *Official Gazette* of the United States Patent and Trademark Office.

⁷ The amounts in square brackets are applicable as from 1 October 2003.

SUMMARY

**Designated
(or elected) Office**

SUMMARY

US

**UNITED STATES PATENT AND
TRADEMARK OFFICE (USPTO)**

US

[Continued]

National fee (<i>Cont'd</i>): ⁸	Additional fee for each claim in independent form in excess of three: ⁹	USD 84 (42) ¹⁰ [86 (43) ¹⁰] ¹¹
	Additional fee for each claim, independent or dependent, in excess of 20: ⁹ In addition, if the application contains one or more multiple dependent claims, per application:	USD 18 (9) ¹⁰ USD 280 (140) ¹⁰ [290 (145) ¹⁰] ¹¹
	Surcharge for filing oath or declaration after the expiration of the time limit applicable under PCT Article 22 or 39(1):	USD 130 (65) ¹⁰
	Processing fee for filing English-language translation after the expiration of the time limit applicable under PCT Article 22 or 39(1):	USD 130 ¹²
Exemptions, reductions or refunds of the national fee:	Reductions of the national fees are indicated under the national fees listed above	
Special requirements of the Office (PCT Rule 51 <i>bis</i>):	Oath or declaration of the inventor ^{13, 14} Declaration as to the applicant's entitlement to claim priority of the earlier application ¹⁴ Information disclosure statement is recommended ¹⁵ Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in computer readable form	
Who can act as agent?	Patent attorneys and patent agents registered to practice before the USPTO. A list of registered patent attorneys and agents may be obtained from: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, and on the Internet at http://www.uspto.gov/web/offices/dcom/olia/oed/roster/index.html .	

⁸ See footnote 4.

⁹ If not paid with the basic national fee, the USPTO will invite the applicant to pay the fee within a time limit fixed in the invitation.

¹⁰ See footnote 6.

¹¹ See footnote 7.

¹² This fee is unaffected by "small entity" status.

¹³ Must be furnished within the time limit applicable under PCT Article 22 or 39(1). The requirement may still be complied with in response to a notice sent to the applicant, provided that a surcharge is paid for furnishing the oath or declaration later.

¹⁴ This requirement may be satisfied if the corresponding declaration has been made in accordance with Rule 4.17.

¹⁵ Should be filed within three months from performing the acts for entering the national phase (see 37 CFR 1.491).