

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCT

NOTIFICATION OF INTENDED REFUSAL OF REQUEST TO RESTORE RIGHT OF PRIORITY AND/OR INVITATION TO FURNISH DECLARATION OR OTHER EVIDENCE

(PCT Rule 26bis.3(f) and (g))

To:

Date of mailing (day/month/year)

Applicant's or agent's file reference	REPLY DUE See below
---------------------------------------	-------------------------------

International application No.	International filing date/Date of receipt (day/month/year)	Priority date (day/month/year)
-------------------------------	---	--------------------------------

Applicant

This receiving Office has received from the applicant a request for restoration of the right of priority which was:

- included in Form PCT/RO/101 at the time of filing of this international application.
- received on _____

The request for restoration of the right of priority concerns the following priority claim(s) _____ . The applicant is hereby notified that this receiving Office **intends to refuse, or partially refuse**, the request for the reason(s) set out below (and, where necessary, more fully in the Annex):

1. the request to restore the right of priority was not received within the applicable time limit under Rule 26bis.3(e)*.
2. the international application has an international filing date which is beyond two months from the expiration of the priority period (Rule 26bis.3(a)).
3. a priority claim in respect of the earlier application is not contained in the international application (Rule 26bis.3(c)).
4. the statement of reasons for the failure to file the international application within the priority period is missing (Rule 26bis.3(b)(ii)).
5. the required declaration and/or evidence in support of the statement of reasons for the failure to file the international application within the priority period is missing or insufficient (Rule 26bis.3(f)).
6. the fee required under Rule 26bis.3(d) was not paid, or was not paid in full.
7. the criterion for restoring the priority right, as applied by this receiving Office (the due care and/or the unintentional criterion), is not met for the reasons set out in the Annex.

The applicant is invited to:

- provide any observations, evidence or declarations within a time limit of _____ months from the date of this Notification (Rule 26bis.3(g)).
- pay the fee for requesting restoration within the time limit under Rule 26bis.3(e)* _____ months from the expiration of the time limit under Rule 26bis.3(e)* (Rule 26bis.3(d)).
- submit the missing statement of reasons within the time limit under Rule 26bis.3(e)* (Rule 26bis.3(b)(ii)).
- add the priority claim(s) within the time limit under Rule 26bis.3(e)* (Rule 26bis.3(c)).

* The time limit applicable under Rule 26bis.3(e) is two months from the date on which the priority period expired. Where the applicant makes a request for early publication under Article 21(2)(b), the time limit to comply with the requirements of Rule 26bis.3(a), (c) and (d) is the date of completion of technical preparations for international publication even if this occurs before the two-month time limit expires.

A copy of this Notification/Invitation is being sent to the International Bureau.

Name and mailing address of the receiving Office	Authorized officer
Facsimile No.	Telephone No.

ANNEX TO FORM PCT/RO/158

International application No.

This receiving Office intends to refuse, or partially refuse, the request to restore the right of priority for the following reason(s):