

# D International Searching Authorities D

## EP EUROPEAN PATENT OFFICE (EPO) EP

Search fee (PCT Rule 16): <sup>1</sup>	Euro (EUR)	1,775
	Danish krone (DKK)	13,210
	Hungarian forint (HUF)	550,400
	Icelandic krona (ISK)	221,900
	Japanese yen (JPY)	242,100
	New Zealand dollar (NZD)	3,007
	Norwegian krone (NOK)	16,990
	Pound sterling (GBP)	1,552
	Singapore dollar (SGD)	2,900
	South African rand (ZAR)	26,320
	Swedish krona (SEK)	17,390
	Swiss franc (CHF)	2,059
	US dollar (USD)	2,207

Additional search fee (PCT Rule 40.2):<sup>2</sup> Same amount as above in EUR

Conditions for refund and amount of refund of the search fee:

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Where the international application is withdrawn or is considered withdrawn, under PCT Article 14(1), (3) or (4), before the start of the international search: refund of 100%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 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 the *Official Notices (PCT Gazette)*.<sup>3</sup>

Where the international search report drawn up by the Authority is based on an earlier search report prepared by the Authority on an application whose priority is claimed for the international application, the international search fee paid for the pending international application shall be refunded as follows:

For a European search (EPC Article 92), an international search (PCT Article 15(1)), a supplementary international search (PCT Rule 45*bis*) or a search made on behalf of a national Office on a national application (BE<sup>4</sup>, CY, FR, GR, IT, LT, LU, LV<sup>5</sup>, MC<sup>5</sup>, MT, NL<sup>4</sup>, SM, TR):

- full benefit: refund of 100%
- partial benefit: refund of 25%

For an international-type search (PCT Article 15(5)):

- full benefit: refund of 70%
- partial benefit: refund of 17.5%

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<sup>1</sup> This fee is payable to the receiving Office concerned in the currency or one of the currencies accepted by it (see Annex C). The 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 certain State as specified in the decision of the EPO's Administrative Council of 21 October 2008 (OJ EPO 11/2008, page 521). For a list of States to which this reduction applies, see [www.epo.org/applying/forms-fees/international-fees/information.html](http://www.epo.org/applying/forms-fees/international-fees/information.html).

<sup>2</sup> This fee is payable to the International Searching Authority and only in particular circumstances. Footnote 1 (except the first sentence) is also applicable.

<sup>3</sup> See OJ EPO 2017, A95. The relevant notification by the Office will be published in the *Official Notices (PCT Gazette)* shortly.

<sup>4</sup> Includes international-type searches covered by an agreement between the Authority and that Office.

<sup>5</sup> Applies to search requests in respect of national applications filed as of 1 October 2016 for Latvia and as of 1 April 2017 for Monaco.

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Protest fee (PCT Rule 40.2(e)): <sup>6</sup>	EUR	875
Late furnishing fee (PCT Rule 13 <sup>ter</sup> .1(c)):	EUR	230
Languages accepted for international search:	English, French, German and, where the international application is filed with the <a href="#">Netherlands Patent Office</a> , Dutch	
Does the Authority accept informal comments on earlier search results where an international application claims priority from an earlier application already searched by this Authority?	Yes, the applicant may submit informal comments to overcome objections raised in the search opinion established for the priority application. At the EPO this service is called “PCT Direct”. Informal comments should be sent to the receiving Office together with the international application in the form of a separate letter entitled “PCT Direct/informal comments”. If the claims and/or the description of the international application differ from those of the earlier application, applicants should preferably also submit a marked-up copy indicating the differences. PCT Direct submissions are published on PATENTSCOPE. This service is free of charge. <sup>7</sup>	
Does the Authority require that nucleotide and/or amino acid sequence listings be furnished in electronic form (PCT Rule 13 <sup>ter</sup> .1)?	Yes	
Types of electronic carrier required:	CD-ROM (type: ISO/IEC 10149:1995, 120 mm CD-ROM; format: ISO 9660, 650 MB) CD-R (type: 120 mm CD-Recordable Disk; format: ISO 9660, 650 MB) DVD (type: ISO/IEC 16448:1999, 120 mm DVD—Read-Only Disk; format: 4.7 GB, conforming to either ISO 9660 or OSTA UDF (1.02 and higher)) DVD-R (type: Standard ECMA-279, 120 mm (3.95 GB per side)—DVD-Recordable; format: 3.95 GB, conforming to either ISO 9660 or OSTA UDF (1.02 and higher))	
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 any subject matter which is searched under the patent grant procedure in accordance with the provisions of the European Patent Convention	

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<sup>6</sup> The applicable procedure since 1 July 2010 is as set out in OJ EPO 5/2010, page 322.

<sup>7</sup> For more details on the PCT Direct service and, in particular, on the form of submission and on the content of a PCT Direct request, see OJ EPO 2017, A21.

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Waiver of power of attorney:<sup>8</sup>

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

Yes<sup>9</sup>

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

Where procedural acts are performed by a purported agent who is not the agent of record, unless the purported agent belongs to the same office as the agent of record, or if both the purported agent and the agent of record are employees of the applicant or, if there is more than one applicant, of the common representative; or in case of doubt as to the agent's or the common representative's entitlement to act.

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

Yes<sup>9</sup>

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

Where procedural acts are performed by a purported agent who is not the agent of record, unless the purported agent belongs to the same office as the agent of record, or if both the purported agent and the agent of record are employees of the applicant or, if there is more than one applicant, of the common representative; or in case of doubt as to the agent's or the common representative's entitlement to act.

<sup>8</sup> See OJ EPO 5/2010, page 335.

<sup>9</sup> Waivers of powers of attorney do not apply (PCT Rule 90.4(e) and 90.5(d)) where the agent or common representative submits any notice of withdrawal during the international phase (PCT Rule 90*bis*.1 to 90*bis*.4; see also International Phase, paragraph 11.048).