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Assembly

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PROPOSED AMENDMENTS TO THE PCT REGULATIONS

Document prepared by the International Bureau

SUMMARY

1. This document contains proposals for amendment of the Regulations under the Patent Cooperation Treaty (PCT)¹ as well as proposed Directives for Updating the Lists of States Meeting the Criteria for Reduction of Certain PCT Fees, as agreed by the PCT Working Group (“the Working Group”) with a view to their submission to the Assembly for consideration at its present session. The proposed amendments of the Regulations, which are set out in Annex I to the present document, relate to the following matters:

- (a) revision of the eligibility criteria for fee reductions for certain applicants from certain countries, notably developing and least developed countries (LDCs) (proposed amendment to item 5 of the Schedule of Fees); the related proposed Directives for Updating the Lists of States Meeting the Criteria for Reduction of Certain PCT Fees are set out in Annex II to the present document;

¹ References in this document to “Articles” and “Rules” are to those of the PCT and the Regulations under the PCT (“the Regulations”), or to such provisions as proposed to be amended or added, as the case may be. References to “national laws”, “national applications”, “the national phase”, etc., include references to regional laws, regional applications, the regional phase, etc.

- (b) removal of the fee reduction available for PCT-EASY filings (filing of the international application on paper together with a copy in electronic form of the request and the abstract) (proposed deletion of item 4(a) of the Schedule of Fees);
- (c) introduction of a requirement for applicants making an express request for early national phase entry to file any request for the restoration of the right of priority at the designated or elected Office within one month from the date of receipt of the express request for early national phase entry (proposed amendments of Rules 49*ter* and 76);
- (d) deletion of a reference to paragraph (a) of Rule 90*bis*.5, consequential on the amendment of Rule 90*bis*.5 adopted by the Assembly in October 2012 (proposed amendments of Rule 90.3); and
- (e) enablement of the International Bureau, in cases where it receives a notice of withdrawal together with a copy of the general power of attorney, to process the notice of withdrawal without requiring the agent to submit a separate original power of attorney (proposed amendments of Rule 90.5).

PROPOSED AMENDMENTS; PROPOSED DIRECTIVES (LDCS)

FEE REDUCTIONS FOR CERTAIN APPLICANTS FROM CERTAIN COUNTRIES, NOTABLY DEVELOPING AND LEAST DEVELOPED COUNTRIES

2. The Working Group, at its seventh session held from June 10 to 13, 2014, approved the proposed amendments of the Schedule of Fees set out in Annex I to this document to revise the eligibility criteria for fee reductions, and agreed on the proposed Directives for Updating the Lists of States Meeting the Criteria for Reduction of Certain PCT Fees set out in Annex II to this document, with a view to their submission to the Assembly for consideration at its present session, subject to possible further drafting changes to be made by the Secretariat (see paragraph 29 of the Summary by the Chair, document PCT/WG/7/29, reproduced in the Annex to document PCT/A/46/1).
3. The amendments to item 5 of the Schedule of Fees update the income-based criterion and introduce an innovation-based criterion to determine the States whose nationals and residents are eligible for reductions to the fees listed in the Schedule of Fees in respect of international applications filed by applicants who are natural persons. All applicants, whether natural persons or not, from States classified as being LDCs will continue to benefit from the fee reductions as at present.
4. The income-based criterion in item 5(a) of the Schedule of Fees as proposed to be amended sets a maximum per capita gross domestic product (GDP) of 25,000 US dollars according to the most recent ten-year average per capita figures at constant 2005 US dollar values published by the United Nations for any State to benefit from the fee reductions. The proposed use of a ten-year average per capita GDP is intended to take account of States that may experience strong economic growth but whose economies might be more fragile than others with comparable per capita GDP. The proposed use of constant US dollar values eliminates the impact of inflation or deflation, thus providing a measure of real per capita income.
5. In addition to meeting the income-based criterion, it is proposed that a State must fulfil an innovation-based criterion, namely, that nationals and residents of that State who are natural persons have filed less than 10 international applications per year (per million population) or less than 50 international applications per year (in absolute numbers), based on the most recent 5-year average yearly filing figures published by the International Bureau. The use of two indicators is intended to avoid extreme effects in very small States where only a handful of

applications are needed to exceed the limit of “less than 10 international applications filed per year (per million population)”; a State need only meet one of the two indicators to comply with the innovation-based criterion.

6. To reflect the changing economic conditions in States and possible changes in the use of the PCT system, it is proposed that the lists of States meeting the criteria in items 5(a) and (b) of the Schedule of Fees should be updated every five years by the International Bureau, in accordance with Directives given by the Assembly as set out in Annex II to the present document (similar to Directives given by the Assembly for the establishment of new amounts of certain PCT fees established in currencies other than Swiss francs in case of changes in the exchange rates between the currencies concerned (PCT Rules 15.2(d) and 16.1(d)). Revised lists would be made available to States based on the relevant figures as they apply at the opening day of the PCT Assembly taking place during the “revision year” and, subject to correction of errors in fact, the new list would come into effect from January 1 the following year.

7. The proposed Directives set out in Annex II also include, in paragraph 3, a mechanism whereby, if a State does not meet both proposed new criteria and thus does not qualify for the fee reductions but new figures in respect of the indicators for both the income based and the innovation based criteria show that the applicants from the State concerned have become eligible for those reductions, that State may apply to be included on the list in order for its applicants to benefit from the reductions without needing to wait for the establishment of new lists as part of the regular update every five years.

8. Note that further drafting changes have been included in paragraphs 1(i) and 3 of the draft Directives, beyond the text as agreed by the Working Group. Due to an oversight, the text of paragraph 1(i) as agreed by the Working Group only referred to the indicator for the income based criterion (“most recent ten year average per capita gross domestic product figures from the United Nations”) but not to the indicators for the innovation based criterion (“5-year average yearly filing figures published by the International Bureau”). It is thus proposed to further modify paragraph 1(i) of the draft Directives by adding the words “and according to the most recent five year average yearly PCT filing figures by the International Bureau, respectively”.

9. Furthermore, due to an oversight, paragraph 3 as agreed by the Working Group only referred to “new figures of per capita GDP” and “a revised list of States classified as least developed countries by the United Nations” as the “triggers” for the mechanism set out in paragraph 3 of the Directives, but did not refer to “new figures in respect of PCT filings by natural persons from that State” as a possible trigger for that mechanism. It is thus proposed to further modify paragraph 3 of the draft Directives in order to ensure that the mechanism as described in paragraph 7, above, also applies where new figures in respect of PCT filings by natural persons from a particular State are published and show that the applicants from that State have become eligible for the fee reductions. In addition, it is proposed to delete the erroneous reference to the “ordinary” session of the Assembly (under the proposed 5-year review cycle, reviews by the Assembly will take place at both ordinary as well as extraordinary sessions of the Assembly) and to replace the erroneous reference to “revised per capita national income figures” by the correct reference to “revised per capita gross domestic product figures”.

10. Thus, where new figures in respect of per capita GDP or PCT filings by natural persons, or a revised list of States classified as LDCs by the United Nations, are published and show that the applicants from the State concerned have become eligible for those reductions, that State may apply to be included on the list in order for its applicants to benefit from the reductions without needing to wait for the establishment of new lists as part of the regular update every five years. However, where the situation in respect of a State changes, resulting in that State no longer being eligible for a fee reduction, whether due to a rise in per capita GDP and/or due to a rise in PCT filings by natural persons, or due to no longer

being classified as a least developed country by the United Nations, applicants from that State will continue to benefit from the fee reductions until the lists are updated under the regular five year review cycle.

11. Under item 5 of the Schedule of Fees as proposed to be amended, the criteria for fee reductions set out in sub-items 5(a) and (b) of the Schedule of Fees are to be reviewed by the Assembly every five years. Furthermore, the Working Group has recommended that a progress report on the implementation of the new criteria should be made two years after the implementation of the amendments proposed in item 5 of the Schedule of Fees (see paragraph 31 of the Summary by the Chair, document PCT/WG/7/29, reproduced in the Annex to document PCT/A/46/1).

12. As to the entry into force of these amendments of the Schedule of Fees set out in Annex I to this document, the Working Group agreed to recommend to the Assembly that these amendments should enter into force on July 1, 2015, and be subject to the usual provisions concerning the amount payable where the amount of a fee has changed (Rule 15.4 with regard to the international filing fee: payable is the amount applicable on the date of receipt of the international application by the receiving Office; Rule 45*bis*.2(c) with regard to the supplementary search handling fee: payable is the amount applicable on the date on which the supplementary search handling fee is paid; and Rule 57.3(d) with regard to the handling fee under Chapter II: payable is the amount applicable on the date on which the handling fee is paid) (see paragraph 30 of the Summary by the Chair, document PCT/WG/7/29, reproduced in the Annex to document PCT/A/46/1).

13. A proposed first list of States whose applicants would become eligible for the fee reductions under the new criteria as of the date of entry into force of the proposed amendments to the Schedule of Fees on July 1, 2015, based on the data available up to and including 2012, is set out in Annex III to the present document. In this context, it is to be noted that the Directives set out in Annex II to the present document only apply to the *updating* of lists of States and not to establishing the first list of States whose applicants would become eligible for the fee reductions under the new criteria. It is proposed that this first list should nevertheless be governed by the main principles of the Directives and thus be established in a similar way, save that it should be based essentially on the information set out in Annex I to document PCT/WG/7/26, which formed the basis for the recommendation by the Working Group, noting in particular the following:

(a) as was the case in document PCT/WG/7/26, the GDP data presented is that of 2012; GDP data for 2013 will only be published by the United Nations in 2014;

(b) as was the case in document PCT/WG/7/26, the data presented in respect of international applications filed by natural persons is that of 2012 (international applications with an international filing date in 2012);

(c) South Sudan has been included in the list;

(d) according to the most recent list of LDCs published by the United Nations in 2014, Samoa is no longer classified as a least developed country; it is nevertheless proposed to base this first list of States essentially on the information set out in Annex I to document PCT/WG/7/26, which formed the basis for the recommendation by the Working Group, and thus to allow nationals and residents of Samoa to continue to benefit from the conditions applying to LDCs for the first five year period.

14. Note that the list of States set out in Annex III includes 10 States whose applicants are not eligible under the criteria presently in force but would become eligible for fee reductions under the new criteria. These States are: Bahamas, Cyprus, Greece, Malta, Nauru, Palau, Portugal, Saudi Arabia, Slovenia, and Suriname. On the other hand, the list also includes two States whose applicants are eligible for fee reductions under the criteria presently in force but would no longer be eligible under the new criteria, namely, Singapore and the United Arab Emirates.

15. In accordance with the main principles of the Directives, Contracting States and States entitled to observer status in the Assembly are invited to comment on the list of States set out in Annex III before the end of the 2014 session of the Assembly. It is further proposed that the Director General will establish the first list of States eligible for fee reductions under the proposed new criteria shortly after the 2014 session of the Assembly, taking into account any comments received, to apply as of the date of entry into force of the amended Schedule of Fees (see paragraph 12, above).

DECOMMISSIONING OF PCT-EASY

16. The Working Group, at its seventh session held from June 10 to 13, 2014, approved the proposed amendments of the Schedule of Fees set out in Annex I to this document to remove the fee reduction for PCT-EASY filings, with a view to their submission to the Assembly for consideration at its present session (see paragraph 145 of the Summary by the Chair, document PCT/WG/7/29, reproduced in the Annex to document PCT/A/46/1).

17. The effect of these amendments will be to remove the fee reduction available for filing international applications using the PCT-EASY service after this service has been decommissioned on July 1, 2015. It is thus proposed that these amendments should enter into force on July 1, 2015, and should apply to all international applications filed on or after that date.

REQUEST FOR THE RESTORATION OF RIGHT OF PRIORITY BEFORE DESIGNATED/ELECTED OFFICES AFTER EARLY NATIONAL PHASE ENTRY

18. The Working Group, at its seventh session held from June 10 to 13, 2014, further approved the proposed amendments to Rule 49*ter*.2(b)(i) and Rule 76.5 with a view to their submission to the Assembly for consideration at its present session (see paragraph 145 of the Summary by the Chair, document PCT/WG/7/29, reproduced in the Annex to document PCT/A/46/1).

19. The effect of these amendments will be to require that, where an express request for early national phase entry is made at a designated Office under Article 23(2) or at an elected Office under Article 40(2), any request for the restoration of the right of priority has to be filed within one month from the date on which the express request is received by the designated or elected Office (though Offices would remain free to offer longer periods if desired). It is proposed that these amendments should apply to any express request under Article 23(2) or Article 40(2) received on or after July 1, 2015.

CONSEQUENTIAL AMENDMENT TO RULE 90.3

20. The Working Group, at its seventh session held from June 10 to 13, 2014, further approved the proposed amendments to Rule 90.3 with a view to their submission to the Assembly for consideration at its present session (see paragraph 145 of the Summary by the Chair, document PCT/WG/7/29, reproduced in the Annex to document PCT/A/46/1).

21. These amendments delete the reference to paragraph (a) of Rule 90*bis*.5. The numbering in Rule 90*bis*.5 was deleted by the Assembly at its forty-third session in October 2012 (see document PCT/A/43/4 and paragraphs 28 to 33 of document PCT/A/43/7). However, the need for a consequential amendment to Rule 90.3 by deleting the reference to paragraph (a) of Rule 90*bis*.5 was overlooked. It is proposed that these amendments enter into force on July 1, 2015.

GENERAL POWER OF ATTORNEY

22. The Working Group, at its seventh session held from June 10 to 13, 2014, further approved the proposed amendments to Rule 90.5 with a view to their submission to the Assembly for consideration at its present session. These amendments would enable the International Bureau, in cases where it receives a notice of withdrawal together with a copy of the general power of attorney, to process the notice of withdrawal without requiring the agent to submit a separate original power of attorney. Upon further consideration, it is not proposed to further amend Rule 90.5(d) to the effect that there would be no need to submit a copy of the general power of attorney if the Office, Authority or the International Bureau which receives a notice of withdrawal already had a copy in its possession, as had been suggested by one delegation at the most recent session of the PCT Working Group (see paragraph 135 of the Summary by the Chair, document PCT/WG/7/29, reproduced in the Annex to document PCT/A/46/1). Such an amendment could result in some ambiguity as to whether the applicant was indeed required to submit a copy of a general power of attorney together with any notice of withdrawal, notably in cases where the applicant had already submitted such a copy but where that copy was not readily available to the Office, Authority or the International Bureau to which the notice of withdrawal had been sent.

23. In addition, these amendments delete the reference to the International Searching Authority, since that Authority does not receive notices of withdrawals under Rule 90*bis*.

24. It is proposed that these amendments enter into force on July 1, 2015, and apply to any notice of withdrawal referred to in Rules 90*bis*.1 to 90*bis*.4 received on or after that date.

CLEAN TEXT OF PROPOSED AMENDED PROVISIONS

25. A “clean” text of all the proposed amendments (without underlining or striking through) appears in Annex IV to this document.

ENTRY INTO FORCE AND TRANSITIONAL ARRANGEMENTS

26. It is proposed that the Assembly adopt the following decisions concerning entry into force and transitional arrangements in respect of the proposed amendments of the Regulations set out in Annex I to this document:

“The amendments of Rules 49*ter* and 76 shall enter into force on July 1, 2015, and shall apply to any express request under Article 23(2) or Article 40(2) received on or after July 1, 2015.”

“The amendments of Rule 90.3 shall enter into force on July 1, 2015.”

“The amendments of Rule 90.5 shall enter into force on July 1, 2015, and shall apply to any notice of withdrawal referred to in Rules 90*bis*.1 to 90*bis*.4 received on or after July 1, 2015.”

“The amendments of the Schedule of Fees shall enter into force on July 1, 2015. In the case of reductions to the international filing fee, the Schedule of Fees as amended with effect from July 1, 2015, shall apply to any international application received by the receiving Office on or after July 1, 2015. The Schedule of Fees as in force until June 30, 2015, shall continue to apply to any international application received before July 1, 2015, irrespective of what international filing date might later be given to such application (Rule 15.4). In the case of reductions to the handling fee and the supplementary search handling fee, the Schedule of Fees as amended with effect from July 1, 2015, shall apply to any international application in respect of which the fee was paid on or after July 1, 2015, irrespective of when the request for supplementary international search or the demand for international preliminary examination, respectively, was submitted (Rules 45*bis*.2(c) and 57.3(d))”.

27. It is also proposed that the Assembly adopt the following decision concerning the establishment of the first list of States whose nationals and residents will be eligible for fee reductions under the amended Schedule of Fees set out in Annex I to this document:

“The Director General shall establish the first list of States which meet the criteria referred to in items 5(a) and (b) of the amended Schedule of Fees following the end of this session of the Assembly, taking into account any comments received before the end of this session of the Assembly from Contracting States and States entitled to observer status on the draft list set out in Annex III to this document. The first list of States shall be published in the Gazette and become applicable on July 1, 2015.”

28. It is further proposed that the Assembly adopt the following decision concerning entry into force of the Directives set out in Annex II to this document:

“The Directives for updating the lists of States meeting the criteria for reduction of certain PCT fees shall enter into force on July 1, 2015.”

29. *The Assembly of the PCT Union is invited:*

(i) to adopt the proposed amendments to the Regulations under the PCT set out in Annex I and the proposed decisions set out in paragraph 26, above, relating to entry into force and transitional arrangements;

(ii) to adopt the proposed decision set out in paragraph 27, above, relating to the establishment of the first list of States meeting the criteria for reduction of certain PCT fees;

(iii) to note that the draft list of States whose applicants would become eligible for fee reductions under the amended Schedule of Fees, as set out in Annex III, is available to Contracting States and States entitled to observer status for comment before the end of this session of the Assembly; and

(iv) to adopt the proposed Directives of the Assembly for updating the list of States meeting the criteria for reduction of certain PCT fees set out in Annex II, and the proposed decision set out in paragraph 28, above, relating to entry into force of those Directives.

[Annexes follow]

PROPOSED AMENDMENTS TO THE PCT REGULATIONS²

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² Proposed additions and deletions are indicated, respectively, by underlining and striking through the text concerned. A “clean” copy of the proposed amended provisions (without underlining or striking through) appears in Annex IV.

Rule 49ter

Effect of Restoration of Right of Priority by Receiving Office;

Restoration of Right of Priority by Designated Office

49ter.1 *[No change]*

49ter.2 *Restoration of Right of Priority by Designated Office*

(a) *[No change]* Where the international application claims the priority of an earlier application and has an international filing date which is later than the date on which the priority period expired but within the period of two months from that date, the designated Office shall, on the request of the applicant in accordance with paragraph (b), restore the right of priority if the Office finds that a criterion applied by it ("criterion for restoration") is satisfied, namely, that the failure to file the international application within the priority period:

- (i) occurred in spite of due care required by the circumstances having been taken; or
- (ii) was unintentional.

Each designated Office shall apply at least one of those criteria and may apply both of them.

(b) A request under paragraph (a) shall:

(i) be filed with the designated Office within a time limit of one month from the applicable time limit under Article 22 or, where the applicant makes an express request to the designated Office under Article 23(2), within a time limit of one month from the date of receipt of that request by the designated Office;

(ii) and (iii) *[No change]*

(c) to (h) *[No change]*

Rule 76

Translation of Priority Document;

Application of Certain Rules to Procedures before Elected Offices

76.1 to 76.4 *[No change]*

76.5 *Application of Certain Rules to Procedures before Elected Offices*

Rules 13^{ter}.3, 20.8(c), 22.1(g), 47.1, 49, 49^{bis}, 49^{ter} and 51^{bis} shall apply, provided that:

(i) *[No change]*;

(ii) any reference in the said Rules to Article 22, [Article 23\(2\)](#) or Article 24(2) shall be construed as a reference to Article 39(1), [Article 40\(2\)](#) or Article 39(3), respectively;

(iii) to (v) *[No change]*

Rule 90

Agents and Common Representatives

90.1 and 90.2 *[No Change]*

90.3 *Effects of Acts by or in Relation to Agents and Common Representatives*

(a) and (b) *[No change]*

(c) Subject to Rule 90bis.5(a), second sentence, any act by or in relation to a common representative or his agent shall have the effect of an act by or in relation to all the applicants.

90.4 *[No Change]*

90.5 *General Power of Attorney*

(a) to (c) *[No change]*

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

90.6 *[No change]*

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. Supplementary search handling fee: (Rule 45 <i>bis</i> .2) | 200 Swiss francs |
| 3. Handling fee: (Rule 57.2) | 200 Swiss francs |

Reductions

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

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

5. The international filing fee under item 1 (where applicable, as reduced under item 4), the supplementary search handling fee under item 2 and the handling fee under item 3 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 that is listed as being a State whose per capita gross domestic product national income is below US\$ 25,000 US\$3,000 (according to the most recent ten-year average per capita gross domestic product national income figures at constant 2005 US\$ values published used by the United Nations), and whose nationals and residents who are natural persons have filed less than 10 international applications per year (per million population) or 50 international applications per year (in absolute numbers) according to the most recent 5-year average yearly filing figures published by the International Bureau 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, Libya, 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 listed as being classified by the United Nations 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). The lists of States referred to in sub items 5(a) and 5(b) shall be updated by the Director General at least every five years according to directives given by the Assembly. The criteria set out in sub-items 5(a) and 5(b) shall be reviewed by the Assembly at least every five years.

[Annex II follows]

PROPOSED DIRECTIVES FOR UPDATING THE LISTS OF STATES
MEETING THE CRITERIA FOR REDUCTION OF CERTAIN PCT FEES³

The Assembly establishes in the following terms the directives referred to in the Schedule of Fees, it being understood that, in the light of experience, the Assembly may at any time modify these directives:

1. Five years after the establishment of the first list of States which meet the criteria referred to in items 5(a) and (b) of the Schedule of Fees, and every five years thereafter, the Director General shall prepare draft lists of States which appear to meet the criteria referred to in:

(i) item 5(a) of the Schedule of Fees according to the most recent ten year average per capita gross domestic product figures from the United Nations and according to the most recent five year average yearly PCT filing figures by the International Bureau, respectively, published at least two weeks prior to the first day of the session of the Assembly in September/October of that year;

(ii) item 5(b) of the Schedule of Fees according to the most recent list of countries classified as least developed countries by the United Nations published at least two weeks prior to the first day of the session of the Assembly in September/October of that year;

and shall make those lists available to the PCT Contracting States and States entitled to observer status in the Assembly for comment before the end of that session of the Assembly.

2. Following the end of that session of the Assembly, the Director General shall establish new lists, taking into account any comments received. The revised lists shall become applicable on the first day of the calendar year subsequent to that session and shall be used to determine, in accordance with Rules 15.4, 45*bis*.2(c) and 57.3(d), the eligibility for the fee reduction under items 5(a) and 5(b), respectively, of the Schedule of Fees of any relevant fee payable. Any revised list shall be published in the Gazette.

3. Where any State is not included in a particular list but subsequently becomes eligible for inclusion in that list due to the publication, after the expiration of the period of two weeks prior to the first day of the session of the Assembly referred to in paragraph 1, above, of revised per capita gross domestic product figures by the United Nations or revised PCT filing figures by the International Bureau, or of a revised list of States that are being classified as least developed countries by the United Nations, that State may request the Director General to revise the relevant list of States so as to include that State in the relevant list. Any such revised list shall become applicable on a date to be specified by the Director General, that date being no more than three months from the date of receipt of the request. Any revised list shall be published in the Gazette.

[Annex III follows]

³ Further drafting changes have been included in paragraphs 1(i) and 3 of the draft Directives, beyond the text as agreed by the Working Group. See paragraphs 8 to 10 in the main body of the present document.

APPLICABILITY OF REDUCTION OF CERTAIN PCT FEES

| Country | Sub-item 5(a) of the Schedule of Fees: Income and Innovation Based Criteria | | | | Sub-item 5(b) of the Schedule of Fees : States Classified as Least Developed Countries |
|----------------------------------|--|--------------------------------|---|--|---|
| | Eligible under sub-item 5(a) | GDP per capita ¹ | PCT applications by natural persons per million population ² | PCT applications by natural persons ³ | Eligible under sub-item 5(b) ⁴ |
| Afghanistan | Yes | 325 | 0.0 | 0 | Yes |
| Albania | Yes | 2,930 | 0.2 | 2 | No |
| Algeria | Yes | 3,066 | 0.1 | 5 | No |
| Andorra | No | 38,199 | 43.3 | 3 | No |
| Angola | Yes | 2,568 | 0.0 | 1 | Yes |
| Antigua and Barbuda | Yes | 12,401 | 11.5 | 3 | No |
| Argentina | Yes | 5,552 | 0.2 | 8 | No |
| Armenia | Yes | 1,881 | 1.8 | 5 | No |
| Australia | No | 38,169 | 15.6 | 350 | No |
| Austria | No | 38,325 | 22.6 | 190 | No |
| Azerbaijan | Yes | 2,372 | 0.4 | 4 | No |
| Bahamas | Yes | 22,214 | 3.9 | 2 | No |
| Bahrain | Yes | 17,348 | 0.5 | 2 | No |
| Bangladesh | Yes | 525 | 0.0 | 1 | Yes |
| Barbados | Yes | 14,507 | 2.1 | 1 | No |
| Belarus | Yes | 3,817 | 1.3 | 13 | No |
| Belgium | No | 36,393 | 5.0 | 55 | No |
| Belize | Yes | 4,195 | 1.9 | 3 | No |
| Benin | Yes | 547 | 0.0 | 1 | Yes |
| Bhutan | Yes | 1,551 | 0.0 | 0 | Yes |
| Bolivia (Plurinational State of) | Yes | 1,110 | 0.0 | 0 | No |

¹ See sub-item 5(a) of the Schedule of Fees: 10-year average, 2003-2012 (constant 2005 US\$); threshold: 25,000 USD.

² See sub-item 5(a) of the Schedule of Fees: 5-year average 2008-2012; threshold: less than 10.

³ See sub-item 5(a) of the Schedule of Fees: 5-year average 2008-2012; threshold: less than 50.

⁴ See sub-item 5(b) of the Schedule of Fees.

| Country | Sub-item 5(a) of the Schedule of Fees: Income and Innovation Based Criteria | | | | Sub-item 5(b) of the Schedule of Fees : States Classified as Least Developed Countries |
|--------------------------|--|--------------------------------|---|--|---|
| | Eligible under sub-item 5(a) | GDP per capita ¹ | PCT applications by natural persons per million population ² | PCT applications by natural persons ³ | Eligible under sub-item 5(b) ⁴ |
| Bosnia and Herzegovina | Yes | 3,074 | 2.1 | 8 | No |
| Botswana | Yes | 5,862 | 0.0 | 0 | No |
| Brazil | Yes | 5,161 | 1.1 | 211 | No |
| Brunei Darussalam | No | 25,543 | 0.5 | 1 | No |
| Bulgaria | Yes | 4,156 | 2.3 | 17 | No |
| Burkina Faso | Yes | 433 | 0.0 | 1 | Yes |
| Burundi | Yes | 176 | 0.1 | 2 | Yes |
| Cabo Verde | Yes | 2,678 | 0.0 | 0 | No |
| Cambodia | Yes | 548 | 0.0 | 0 | Yes |
| Cameroon | Yes | 928 | 0.1 | 4 | No |
| Canada | No | 36,265 | 11.7 | 398 | No |
| Central African Republic | Yes | 352 | 0.0 | 0 | Yes |
| Chad | Yes | 564 | 0.0 | 1 | Yes |
| Chile | Yes | 8,152 | 1.7 | 29 | No |
| China | Yes | 2,330 | 1.3 | 1,830 | No |
| Colombia | Yes | 3,734 | 0.6 | 26 | No |
| Comoros | Yes | 617 | 0.0 | 0 | Yes |
| Congo | Yes | 1,806 | 0.0 | 1 | No |
| Costa Rica | Yes | 5,087 | 0.3 | 2 | No |
| Côte d'Ivoire | Yes | 980 | 0.0 | 1 | No |
| Croatia | Yes | 10,534 | 5.3 | 23 | No |
| Cuba | Yes | 4,387 | 0.0 | 0 | No |
| Cyprus | Yes | 22,806 | 3.4 | 3 | No |

¹ See sub-item 5(a) of the Schedule of Fees: 10-year average, 2003-2012 (constant 2005 US\$); threshold: 25,000 USD.

² See sub-item 5(a) of the Schedule of Fees: 5-year average 2008-2012; threshold: less than 10.

³ See sub-item 5(a) of the Schedule of Fees: 5-year average 2008-2012; threshold: less than 50.

³ See sub-item 5(b) of the Schedule of Fees.

| Country | Sub-item 5(a) of the Schedule of Fees: Income and Innovation Based Criteria | | | | Sub-item 5(b) of the Schedule of Fees : States Classified as Least Developed Countries |
|---------------------------------------|--|--------------------------------|---|--|---|
| | Eligible under sub-item 5(a) | GDP per capita ¹ | PCT applications by natural persons per million population ² | PCT applications by natural persons ³ | Eligible under sub-item 5(b) ⁴ |
| Czech Republic | Yes | 13,470 | 3.0 | 32 | No |
| Democratic People's Republic of Korea | Yes | 534 | 0.1 | 4 | No |
| Democratic Republic of the Congo | Yes | 144 | 0.0 | 1 | Yes |
| Denmark | No | 47,228 | 9.8 | 54 | No |
| Djibouti | Yes | 1,061 | 0.0 | 0 | Yes |
| Dominica | Yes | 5,676 | 0.0 | 0 | No |
| Dominican Republic | Yes | 4,181 | 0.3 | 3 | No |
| Ecuador | Yes | 3,175 | 0.6 | 8 | No |
| Egypt | Yes | 1,478 | 0.5 | 37 | No |
| El Salvador | Yes | 2,911 | 0.2 | 2 | No |
| Equatorial Guinea | Yes | 14,360 | 0.0 | 0 | Yes |
| Eritrea | Yes | 205 | 0.0 | 0 | Yes |
| Estonia | Yes | 11,027 | 3.7 | 5 | No |
| Ethiopia | Yes | 200 | 0.0 | 0 | Yes |
| Fiji | Yes | 3,574 | 0.0 | 0 | No |
| Finland | No | 38,130 | 12.5 | 67 | No |
| France | No | 33,980 | 6.2 | 406 | No |
| Gabon | Yes | 6,785 | 0.9 | 2 | No |
| Gambia | Yes | 441 | 0.0 | 0 | Yes |
| Georgia | Yes | 1,689 | 1.1 | 5 | No |
| Germany | No | 34,741 | 12.3 | 1,020 | No |
| Ghana | Yes | 908 | 0.0 | 2 | No |
| Greece | Yes | 21,711 | 5.1 | 57 | No |

¹ See sub-item 5(a) of the Schedule of Fees: 10-year average, 2003-2012 (constant 2005 US\$); threshold: 25,000 USD.

² See sub-item 5(a) of the Schedule of Fees: 5-year average 2008-2012; threshold: less than 10.

³ See sub-item 5(a) of the Schedule of Fees: 5-year average 2008-2012; threshold: less than 50.

³ See sub-item 5(b) of the Schedule of Fees.

| Country | Sub-item 5(a) of the Schedule of Fees: Income and Innovation Based Criteria | | | | Sub-item 5(b) of the Schedule of Fees : States Classified as Least Developed Countries |
|----------------------------|--|--------------------------------|---|--|---|
| | Eligible under sub-item 5(a) | GDP per capita ¹ | PCT applications by natural persons per million population ² | PCT applications by natural persons ³ | Eligible under sub-item 5(b) ⁴ |
| Grenada | Yes | 6,436 | 1.9 | 1 | No |
| Guatemala | Yes | 2,240 | 0.3 | 5 | No |
| Guinea | Yes | 302 | 0.0 | 1 | Yes |
| Guinea-Bissau | Yes | 420 | 0.0 | 0 | Yes |
| Guyana | Yes | 1,943 | 0.0 | 0 | No |
| Haiti | Yes | 417 | 0.0 | 0 | Yes |
| Honduras | Yes | 1,488 | 0.0 | 0 | No |
| Hungary | Yes | 10,935 | 6.0 | 60 | No |
| Iceland | No | 54,100 | 10.7 | 3 | No |
| India | Yes | 889 | 0.2 | 297 | No |
| Indonesia | Yes | 1,436 | 0.0 | 6 | No |
| Iran (Islamic Republic of) | Yes | 3,228 | 0.0 | 2 | No |
| Iraq | Yes | 1,441 | 0.0 | 0 | No |
| Ireland | No | 47,772 | 11.2 | 50 | No |
| Israel | No | 21,468 | 35.0 | 259 | No |
| Italy | No | 29,903 | 7.9 | 477 | No |
| Jamaica | Yes | 4,155 | 0.1 | 1 | No |
| Japan | No | 36,200 | 3.8 | 480 | No |
| Jordan | Yes | 2,524 | 0.0 | 0 | No |
| Kazakhstan | Yes | 4,409 | 0.8 | 13 | No |
| Kenya | Yes | 553 | 0.1 | 3 | No |
| Kiribati | Yes | 1,162 | 0.0 | 0 | Yes |
| Kuwait | No | 32,200 | 0.1 | 1 | No |

¹ See sub-item 5(a) of the Schedule of Fees: 10-year average, 2003-2012 (constant 2005 US\$); threshold: 25,000 USD.

² See sub-item 5(a) of the Schedule of Fees: 5-year average 2008-2012; threshold: less than 10.

³ See sub-item 5(a) of the Schedule of Fees: 5-year average 2008-2012; threshold: less than 50.

³ See sub-item 5(b) of the Schedule of Fees.

| Country | Sub-item 5(a) of the Schedule of Fees: Income and Innovation Based Criteria | | | | Sub-item 5(b) of the Schedule of Fees : States Classified as Least Developed Countries |
|----------------------------------|--|--------------------------------|---|--|---|
| | Eligible under sub-item 5(a) | GDP per capita ¹ | PCT applications by natural persons per million population ² | PCT applications by natural persons ³ | Eligible under sub-item 5(b) ⁴ |
| Kyrgyzstan | Yes | 540 | 0.3 | 2 | No |
| Lao People's Democratic Republic | Yes | 555 | 0.3 | 3 | Yes |
| Latvia | Yes | 7,583 | 4.2 | 9 | No |
| Lebanon | Yes | 6,110 | 0.1 | 2 | No |
| Lesotho | Yes | 795 | 0.0 | 0 | Yes |
| Liberia | Yes | 220 | 0.0 | 0 | Yes |
| Libya | Yes | 8,152 | 0.2 | 1 | No |
| Liechtenstein | No | 111,159 | 44.3 | 2 | No |
| Lithuania | Yes | 8,729 | 2.9 | 9 | No |
| Luxembourg | No | 81,561 | 9.9 | 5 | No |
| Madagascar | Yes | 279 | 0.0 | 2 | Yes |
| Malawi | Yes | 276 | 0.0 | 0 | Yes |
| Malaysia | Yes | 5,987 | 1.6 | 45 | No |
| Maldives | Yes | 4,808 | 0.0 | 0 | No |
| Mali | Yes | 476 | 0.0 | 0 | Yes |
| Malta | Yes | 15,514 | 3.3 | 2 | No |
| Marshall Islands | Yes | 2,736 | 0.0 | 0 | No |
| Mauritania | Yes | 749 | 0.0 | 0 | Yes |
| Mauritius | Yes | 6,037 | 0.2 | 1 | No |
| Mexico | Yes | 8,041 | 1.0 | 114 | No |
| Micronesia (Federated States of) | Yes | 2,529 | 0.0 | 0 | No |
| Monaco | No | 130,076 | 255.9 | 9 | No |
| Mongolia | Yes | 1,197 | 0.4 | 2 | No |

¹ See sub-item 5(a) of the Schedule of Fees: 10-year average, 2003-2012 (constant 2005 US\$); threshold: 25,000 USD.

² See sub-item 5(a) of the Schedule of Fees: 5-year average 2008-2012; threshold: less than 10.

³ See sub-item 5(a) of the Schedule of Fees: 5-year average 2008-2012; threshold: less than 50.

⁴ See sub-item 5(b) of the Schedule of Fees.

| Country | Sub-item 5(a) of the Schedule of Fees: Income and Innovation Based Criteria | | | | Sub-item 5(b) of the Schedule of Fees : States Classified as Least Developed Countries |
|------------------|--|--------------------------------|---|--|---|
| | Eligible under sub-item 5(a) | GDP per capita ¹ | PCT applications by natural persons per million population ² | PCT applications by natural persons ³ | Eligible under sub-item 5(b) ⁴ |
| Montenegro | Yes | 4,178 | 0.6 | 2 | No |
| Morocco | Yes | 2,204 | 0.4 | 14 | No |
| Mozambique | Yes | 356 | 0.0 | 0 | Yes |
| Myanmar | Yes | 313 | 0.0 | 1 | Yes |
| Namibia | Yes | 3,868 | 1.6 | 5 | No |
| Nauru | Yes | 3,461 | 0.0 | 0 | No |
| Nepal | Yes | 356 | 0.0 | 0 | Yes |
| Netherlands | No | 40,398 | 6.3 | 105 | No |
| New Zealand | No | 27,547 | 13.9 | 61 | No |
| Nicaragua | Yes | 1,222 | 0.1 | 2 | No |
| Niger | Yes | 265 | 0.0 | 0 | Yes |
| Nigeria | Yes | 891 | 0.0 | 5 | No |
| Norway | No | 65,427 | 11.4 | 56 | No |
| Oman | Yes | 13,685 | 0.1 | 1 | No |
| Pakistan | Yes | 777 | 0.0 | 1 | No |
| Palau | Yes | 8,798 | 0.0 | 0 | No |
| Panama | Yes | 5,630 | 0.1 | 1 | No |
| Papua New Guinea | Yes | 893 | 0.0 | 0 | No |
| Paraguay | Yes | 1,597 | 0.0 | 1 | No |
| Peru | Yes | 3,397 | 0.2 | 5 | No |
| Philippines | Yes | 1,308 | 0.1 | 14 | No |
| Poland | Yes | 9,067 | 1.1 | 44 | No |
| Portugal | Yes | 18,360 | 1.5 | 15 | No |

¹ See sub-item 5(a) of the Schedule of Fees: 10-year average, 2003-2012 (constant 2005 US\$); threshold: 25,000 USD.

² See sub-item 5(a) of the Schedule of Fees: 5-year average 2008-2012; threshold: less than 10.

³ See sub-item 5(a) of the Schedule of Fees: 5-year average 2008-2012; threshold: less than 50.

⁴ See sub-item 5(b) of the Schedule of Fees.

| Country | Sub-item 5(a) of the Schedule of Fees: Income and Innovation Based Criteria | | | | Sub-item 5(b) of the Schedule of Fees : States Classified as Least Developed Countries |
|----------------------------------|--|--------------------------------|---|--|---|
| | Eligible under sub-item 5(a) | GDP per capita ¹ | PCT applications by natural persons per million population ² | PCT applications by natural persons ³ | Eligible under sub-item 5(b) ⁴ |
| Qatar | No | 57,727 | 0.8 | 2 | No |
| Republic of Korea | No | 19,528 | 36.1 | 1,749 | No |
| Republic of Moldova | Yes | 882 | 0.6 | 3 | No |
| Romania | Yes | 4,926 | 0.7 | 15 | No |
| Russian Federation | Yes | 5,930 | 3.8 | 541 | No |
| Rwanda | Yes | 319 | 0.0 | 0 | Yes |
| Saint Kitts and Nevis | Yes | 10,929 | 3.8 | 1 | No |
| Saint Lucia | Yes | 6,005 | 0.0 | 0 | No |
| Saint Vincent and the Grenadines | Yes | 5,333 | 0.0 | 0 | No |
| Samoa | Yes | 2,398 | 0.0 | 0 | Yes |
| San Marino | No | 63,169 | 19.4 | 2 | No |
| Sao Tome and Principe | Yes | 906 | 0.0 | 0 | Yes |
| Saudi Arabia | Yes | 14,821 | 0.2 | 6 | No |
| Senegal | Yes | 780 | 0.0 | 2 | Yes |
| Serbia | Yes | 3,596 | 2.9 | 21 | No |
| Seychelles | Yes | 11,787 | 2.2 | 1 | No |
| Sierra Leone | Yes | 362 | 0.1 | 1 | Yes |
| Singapore | No | 30,748 | 12.7 | 65 | No |
| Slovakia | Yes | 10,130 | 3.6 | 20 | No |
| Slovenia | Yes | 18,641 | 10.9 | 22 | No |
| Solomon Islands | Yes | 959 | 0.0 | 0 | Yes |
| Somalia | Yes | 273 | 0.0 | 0 | Yes |
| South Africa | Yes | 5,431 | 2.8 | 145 | No |

¹ See sub-item 5(a) of the Schedule of Fees: 10-year average, 2003-2012 (constant 2005 US\$); threshold: 25,000 USD.

² See sub-item 5(a) of the Schedule of Fees: 5-year average 2008-2012; threshold: less than 10.

³ See sub-item 5(a) of the Schedule of Fees: 5-year average 2008-2012; threshold: less than 50.

³ See sub-item 5(b) of the Schedule of Fees.

| Country | Sub-item 5(a) of the Schedule of Fees: Income and Innovation Based Criteria | | | | Sub-item 5(b) of the Schedule of Fees : States Classified as Least Developed Countries |
|----------------------|--|--------------------------------|---|--|---|
| | Eligible under sub-item 5(a) | GDP per capita ¹ | PCT applications by natural persons per million population ² | PCT applications by natural persons ³ | Eligible under sub-item 5(b) ⁴ |
| South Sudan | Yes | 934 | 0.0 | 0 | Yes |
| Spain | No | 25,945 | 7.6 | 348 | No |
| Sri Lanka | Yes | 1,433 | 0.4 | 8 | No |
| Sudan | Yes | 507 | 0.0 | 2 | Yes |
| Suriname | Yes | 4,833 | 0.0 | 0 | No |
| Swaziland | Yes | 2,387 | 0.2 | 1 | No |
| Sweden | No | 41,985 | 17.9 | 168 | No |
| Switzerland | No | 53,528 | 23.7 | 186 | No |
| Syrian Arab Republic | Yes | 1,598 | 0.3 | 7 | No |
| Tajikistan | Yes | 378 | 0.0 | 0 | No |
| TFYR of Macedonia | Yes | 3,145 | 0.6 | 2 | No |
| Thailand | Yes | 3,128 | 0.3 | 21 | No |
| Timor-Leste | Yes | 2,421 | 0.0 | 0 | Yes |
| Togo | Yes | 390 | 0.0 | 0 | Yes |
| Tonga | Yes | 2,573 | 0.0 | 0 | No |
| Trinidad and Tobago | Yes | 13,439 | 0.6 | 1 | No |
| Tunisia | Yes | 3,488 | 0.4 | 4 | No |
| Turkey | Yes | 7,523 | 2.2 | 156 | No |
| Turkmenistan | Yes | 3,888 | 0.0 | 1 | No |
| Tuvalu | Yes | 2,496 | 0.0 | 0 | Yes |
| Uganda | Yes | 386 | 0.0 | 2 | Yes |
| Ukraine | Yes | 1,948 | 2.0 | 90 | No |
| United Arab Emirates | No | 31,205 | 2.2 | 18 | No |

¹ See sub-item 5(a) of the Schedule of Fees: 10-year average, 2003-2012 (constant 2005 US\$); threshold: 25,000 USD.

² See sub-item 5(a) of the Schedule of Fees: 5-year average 2008-2012; threshold: less than 10.

³ See sub-item 5(a) of the Schedule of Fees: 5-year average 2008-2012; threshold: less than 50.

³ See sub-item 5(b) of the Schedule of Fees.

| Country | Sub-item 5(a) of the Schedule of Fees: Income and Innovation Based Criteria | | | | Sub-item 5(b) of the Schedule of Fees : States Classified as Least Developed Countries |
|------------------------------------|--|--------------------------------|---|--|---|
| | Eligible under sub-item 5(a) | GDP per capita ¹ | PCT applications by natural persons per million population ² | PCT applications by natural persons ³ | Eligible under sub-item 5(b) ⁴ |
| United Kingdom | No | 38,418 | 9.1 | 568 | No |
| United Republic of Tanzania | Yes | 416 | 0.0 | 0 | Yes |
| United States of America | No | 43,802 | 10.5 | 3,276 | No |
| Uruguay | Yes | 5,997 | 0.5 | 2 | No |
| Uzbekistan | Yes | 673 | 0.0 | 2 | No |
| Vanuatu | Yes | 2,018 | 0.0 | 0 | Yes |
| Venezuela (Bolivarian Republic of) | Yes | 5,850 | 0.1 | 3 | No |
| Viet Nam | Yes | 778 | 0.1 | 7 | No |
| Yemen | Yes | 951 | 0.0 | 1 | Yes |
| Zambia | Yes | 690 | 0.0 | 1 | Yes |
| Zimbabwe | Yes | 513 | 0.0 | 2 | No |

[Annex IV follows]

¹ See sub-item 5(a) of the Schedule of Fees: 10-year average, 2003-2012 (constant 2005 US\$); threshold: 25,000 USD.
² See sub-item 5(a) of the Schedule of Fees: 5-year average 2008-2012; threshold: less than 10.
³ See sub-item 5(a) of the Schedule of Fees: 5-year average 2008-2012; threshold: less than 50.
³ See sub-item 5(b) of the Schedule of Fees.

PROPOSED AMENDMENTS TO THE PCT REGULATIONS

(CLEAN TEXT)

Proposed amendments of the PCT Regulations are set out in Annex I, in which additions and deletions are shown, respectively, by underlining and striking-through of the text concerned. This Annex contains, for convenient reference, a “clean” text of the relevant provisions as they would stand after amendment.

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Rule 49ter

Effect of Restoration of Right of Priority by Receiving Office;

Restoration of Right of Priority by Designated Office

49ter.1 *[No change]*

49ter.2 *Restoration of Right of Priority by Designated Office*

(a) *[No change]*

(b) A request under paragraph (a) shall:

(i) be filed with the designated Office within a time limit of one month from the applicable time limit under Article 22 or, where the applicant makes an express request to the designated Office under Article 23(2), within a time limit of one month from the date of receipt of that request by the designated Office;

(ii) and (iii) *[No change]*

(c) to (h) *[No change]*

Rule 76

Translation of Priority Document;

Application of Certain Rules to Procedures before Elected Offices

76.1 to 76.4 *[No change]*

76.5 *Application of Certain Rules to Procedures before Elected Offices*

Rules 13^{ter}.3, 20.8(c), 22.1(g), 47.1, 49, 49^{bis}, 49^{ter} and 51^{bis} shall apply, provided that:

(i) *[No change]*;

(ii) any reference in the said Rules to Article 22, Article 23(2) or Article 24(2) shall be construed as a reference to Article 39(1), Article 40(2) or Article 39(3), respectively;

(iii) to (v) *[No change]*

Rule 90

Agents and Common Representatives

90.1 and 90.2 *[No Change]*

90.3 *Effects of Acts by or in Relation to Agents and Common Representatives*

(a) and (b) *[No change]*

(c) Subject to Rule 90*bis*.5, second sentence, any act by or in relation to a common representative or his agent shall have the effect of an act by or in relation to all the applicants.

90.4 *[No Change]*

90.5 *General Power of Attorney*

(a) to (c) *[No change]*

(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 Authority specified for supplementary search, the International Preliminary Examining Authority or the International Bureau, as the case may be, a copy of the general power of attorney shall be submitted to that Office, Authority or Bureau.

90.6 *[No change]*

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. Supplementary search handling fee: (Rule 45 <i>bis</i> .2) | 200 Swiss francs |
| 3. Handling fee: (Rule 57.2) | 200 Swiss francs |

Reductions

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

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

5. The international filing fee under item 1 (where applicable, as reduced under item 4), the supplementary search handling fee under item 2 and the handling fee under item 3 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 that is listed as being a State whose per capita gross domestic product is below US\$ 25,000 (according to the most recent ten-year average per capita gross domestic product figures at constant 2005 US\$ values published by the United Nations), and whose nationals and residents who are natural persons have filed less than 10 international applications per year (per million population) or 50 international applications per year (in absolute numbers) according to the most recent 5-year average yearly filing figures published by the International Bureau; or
- (b) an applicant, whether a natural person or not, who is a national of and resides in a State that is listed as being classified by the United Nations as a least developed country;

provided that, if there are several applicants, each must satisfy the criteria set out in either sub-item (a) or (b). The lists of States referred to in sub items (a) and (b) shall be updated by the Director General at least every five years according to directives given by the Assembly. The criteria set out in sub-items (a) and (b) shall be reviewed by the Assembly at least every five years.

[End of Annex IV and of document]