

International Patent Cooperation Union (PCT Union)

Assembly

Fifty-Eighth (33rd Extraordinary) Session Geneva, July 7 to 15, 2026

EXTENSION OF APPOINTMENT OF THE INTERNATIONAL SEARCHING AND PRELIMINARY EXAMINING AUTHORITIES UNDER THE PCT

Document prepared by the International Bureau

SUMMARY

1. The Assembly is invited to extend the appointment of the 25 International Searching and Preliminary Examining Authorities (“International Authorities”) until December 31, 2037, and to approve the draft agreements between the International Bureau and the relevant Offices or organizations.

BACKGROUND

2. All existing International Authorities were appointed by the Assembly until December 31, 2027. Before this date, the Assembly will need to decide on the extension of appointments of each International Authority that wishes to seek an extension. In accordance with the Patent Cooperation Treaty (PCT) Articles 16(3) and 32(3), before deciding on an extension of appointment, the Assembly is required to hear the interested Office or organization and seek the advice of the PCT Committee for Technical Cooperation. Appointment is also conditional on the conclusion of an agreement between the International Bureau and the relevant Office, which must be approved by the Assembly.

3. In accordance with the procedures and timetable for the extension of appointment agreed at the eighteenth session of the PCT Working Group (see document [PCT/WG/18/5](#), and paragraphs 27 and 28 of the Summary by the Chair of the session, document [PCT/WG/18/20](#)),

the PCT Committee for Technical Cooperation, provided its advice on the extension of appointment at its thirty-third session, which took place on February 2 and 3, 2026.

ADVICE OF THE PCT COMMITTEE FOR TECHNICAL COOPERATION

4. The advice of the PCT Committee for Technical Cooperation on the extension of appointments of existing International Authorities is set out in paragraphs 9 to 11 of document [PCT/CTC/33/29](#) as follows:

“9. The Committee agreed to recommend to the PCT Union Assembly the extension of appointment of all the 25 national Offices and intergovernmental organizations currently acting as International Searching and Preliminary Examining Authorities under the PCT.

“10. It is to be noted that the Ukrainian National Office for Intellectual Property and Innovations expressed its dissociation from the advice provided by the Committee with regard to the extensions of appointment of the Federal Service for Intellectual Property of the Russian Federation and the Eurasian Patent Office.

“11. It is to be noted that the Federal Service for Intellectual Property of the Russian Federation and the Eurasian Patent Office expressed their dissociation from the advice provided by the Committee with regard to the extension of appointment of the Ukrainian National Office for Intellectual Property and Innovations.”

CONSIDERATION BY THE ASSEMBLY

APPLICATIONS FOR EXTENSION OF APPOINTMENT

5. Following the advice of the PCT Committee for Technical Cooperation, and in line with the procedures and timetable referred to in paragraph 3, above, the applications for extension of appointment are presented to the present session of the PCT Assembly for approval. The applications for extension are reproduced in the Annexes of documents PCT/CTC/33/2 to 26.

DRAFT AGREEMENTS

6. Under PCT Articles 16(3)(b) and 32(3), the appointment of an International Authority is conditional on the conclusion of an agreement, subject to approval by the Assembly, between the Office or organization concerned and the International Bureau. Individual draft agreements in relation to the functioning of each Office or organization as an International Authority are set out in the Annexes to this document as follows:

Annex I	Austrian Patent Office
Annex II	Australian Patent Office
Annex III	Brazilian National Institute of Industrial Property
Annex IV	Canadian Commissioner of Patents
Annex V	National Institute of Industrial Property of Chile
Annex VI	China National Intellectual Property Administration
Annex VII	Eurasian Patent Office
Annex VIII	Egyptian Patent Office
Annex IX	European Patent Office
Annex X	Spanish Patent and Trademark Office, A.B.
Annex XI	Finnish Patent and Registration Office
Annex XII	Israel Patent Office
Annex XIII	Indian Patent Office
Annex XIV	Japan Patent Office
Annex XV	Ministry of Intellectual Property of the Republic of Korea
Annex XVI	Intellectual Property Office of the Philippines
Annex XVII	Federal Service for Intellectual Property of the Russian Federation

Annex XVIII	Saudi Authority for Intellectual Property
Annex XIX	Swedish Intellectual Property Office
Annex XX	Intellectual Property Office of Singapore
Annex XXI	Turkish Patent and Trademark Office
Annex XXII	State Organization “Ukrainian National Office for Intellectual Property and Innovations”
Annex XXIII	United States Patent and Trademark Office
Annex XXIV	Nordic Patent Institute
Annex XXV	Visegrad Patent Institute

7. The text of these draft agreements is based on a draft model agreement approved by the PCT Committee for Technical Cooperation at its thirty-third session in February 2026 (see document [PCT/CTC/33/28](#) and paragraph 12 of document [PCT/CTC/33/29](#)).

Duration of Appointment

8. It is proposed that the appointment of all International Authorities be extended by a period of 10 years, ending on December 31, 2037; each agreement would remain in force until this date.

Entry into Force

9. It is proposed that all agreements enter into force on January 1, 2028, following the expiration of the existing agreements.

10. *The Assembly of the PCT Union is invited, in accordance with Articles 16(3) and 32(3) of the PCT:*

(i) to hear the Representatives of the International Authorities and take into account the advice of the PCT Committee for Technical Cooperation set out in paragraph 4 of document PCT/A/58/2;

(ii) to approve the text of the draft agreements between the International Authorities and the International Bureau set out in Annexes I to XXV of document PCT/A/58/2; and

(iii) to extend the appointment of the present International Searching and Preliminary Examining Authorities until December 31, 2037.

[Annexes follow]

Draft Agreement

between the Federal Minister of Innovation, Mobility and Infrastructure
of the Republic of Austria
and the International Bureau of the World Intellectual Property Organization

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

(as in force from January 1, 2028)

Preamble

The Federal Minister of Innovation, Mobility and Infrastructure of the Republic of Austria
and the International Bureau of the World Intellectual Property Organization,

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

Hereby agree as follows:

Article 1 Terms and Expressions

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

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

Article 2 **Basic Obligations**

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

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

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

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

Article 3 **Competence of Authority**

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.

(4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45*bis* if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification

under this paragraph shall specify the date that the changes shall take effect, provided that that date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

Article 7 Languages of Correspondence Used by the Authority

(1) The International Bureau shall publish in the Gazette the language or languages that the Authority may use for the purposes of correspondence, including forms, other than with the International Bureau, and, where more than one language may be used, any conditions relating to the use of a language.

(2) The Authority may, by a notification to the International Bureau, modify the languages that the Authority may use for the purposes of correspondence other than with the International Bureau, and any conditions relating to the use of a language; any modification shall take effect on the date specified in the notification.

(3) Where more than one language has been indicated under this Article, the Authority shall give regard to the language or languages specified under Article 3 of this Agreement and to the language or languages whose use is authorized by the Authority under Rule 92.2(b).

Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

Article 11 Amendment

(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

- (1) This Agreement shall terminate before December 31, 2037:
- (i) if the Federal Minister of Innovation, Mobility and Infrastructure of the Republic of Austria gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or
 - (ii) if the Director General of the World Intellectual Property Organization gives the Federal Minister of Innovation, Mobility and Infrastructure of the Republic of Austria written notice to terminate this Agreement.

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

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English and German languages, each text being equally authentic.

For the Federal Minister of Innovation,
Mobility and Infrastructure of the Republic of
Austria by:

For the International Bureau of the World
Intellectual Property Organization by:

[Annex II follows]

Draft Agreement

between the Government of Australia
and the International Bureau of the World Intellectual Property Organization

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

(as in force from January 1, 2028)

Preamble

The Government of Australia and the International Bureau of the World Intellectual Property Organization,

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

Hereby agree as follows:

Article 1 Terms and Expressions

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

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

Article 2 **Basic Obligations**

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

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

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

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

Article 3 **Competence of Authority**

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.

(4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45*bis* if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification under this paragraph shall specify the date that the changes shall take effect, provided that that

date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

Article 7 Languages of Correspondence Used by the Authority

(1) The International Bureau shall publish in the Gazette the language or languages that the Authority may use for the purposes of correspondence, including forms, other than with the International Bureau, and, where more than one language may be used, any conditions relating to the use of a language.

(2) The Authority may, by a notification to the International Bureau, modify the languages that the Authority may use for the purposes of correspondence other than with the International Bureau, and any conditions relating to the use of a language; any modification shall take effect on the date specified in the notification.

(3) Where more than one language has been indicated under this Article, the Authority shall give regard to the language or languages specified under Article 3 of this Agreement and to the language or languages whose use is authorized by the Authority under Rule 92.2(b).

Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

Article 11 Amendment

(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2037:

(i) if the Government of Australia gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

(ii) if the Director General of the World Intellectual Property Organization gives the Government of Australia written notice to terminate this Agreement.

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

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English language.

For the Government of Australia by:

For the International Bureau of the World
Intellectual Property Organization by:

[Annex III follows]

Draft Agreement

between the Brazilian National Institute of Industrial Property
and the International Bureau of the World Intellectual Property Organization

in relation to the functioning of the Brazilian National Institute of Industrial Property
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

(as in force from January 1, 2028)

Preamble

The Brazilian National Institute of Industrial Property and the International Bureau of the World Intellectual Property Organization,

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

Hereby agree as follows:

Article 1 Terms and Expressions

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

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

Article 2 **Basic Obligations**

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

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

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

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

Article 3 **Competence of Authority**

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.

(4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45*bis* if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification under this paragraph shall specify the date that the changes shall take effect, provided that that

date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

Article 7 Languages of Correspondence Used by the Authority

(1) The International Bureau shall publish in the Gazette the language or languages that the Authority may use for the purposes of correspondence, including forms, other than with the International Bureau, and, where more than one language may be used, any conditions relating to the use of a language.

(2) The Authority may, by a notification to the International Bureau, modify the languages that the Authority may use for the purposes of correspondence other than with the International Bureau, and any conditions relating to the use of a language; any modification shall take effect on the date specified in the notification.

(3) Where more than one language has been indicated under this Article, the Authority shall give regard to the language or languages specified under Article 3 of this Agreement and to the language or languages whose use is authorized by the Authority under Rule 92.2(b).

Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

Article 11 Amendment

(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

- (1) This Agreement shall terminate before December 31, 2037:
- (i) if the Brazilian National Institute of Industrial Property gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or
 - (ii) if the Director General of the World Intellectual Property Organization gives the Brazilian National Institute of Industrial Property written notice to terminate this Agreement.

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

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English and Portuguese languages, each text being equally authentic.

For the Brazilian National Institute of
Industrial Property by:

For the International Bureau of the World
Intellectual Property Organization by:

[Annex IV follows]

Draft Agreement

between the Government of Canada
and the International Bureau of the World Intellectual Property Organization

in relation to the functioning of the Canadian Commissioner of Patents
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

(as in force from January 1, 2028)

Preamble

The Government of Canada and the International Bureau of the World Intellectual Property Organization,

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

Hereby agree as follows:

Article 1 Terms and Expressions

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

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

Article 2 **Basic Obligations**

- (1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching Authority and International Preliminary Examining Authority as are provided under, the Treaty, the Regulations, the Administrative Instructions and this Agreement.
- (2) In carrying out international search and international preliminary examination, the Authority shall apply and observe all the common rules of international search and of international preliminary examination and, in particular, shall be guided by the PCT International Search and Preliminary Examination Guidelines.
- (3) The Authority shall maintain a quality management system in compliance with the requirements set out in the PCT International Search and Preliminary Examination Guidelines.
- (4) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent considered to be appropriate by both the Authority and the International Bureau, mutual assistance in the performance of their functions thereunder.

Article 3 **Competence of Authority**

- (1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.
- (2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.
- (3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.
- (4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45*bis* if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification under this paragraph shall specify the date that the changes shall take effect, provided that that

date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

Article 7 Languages of Correspondence Used by the Authority

(1) The International Bureau shall publish in the Gazette the language or languages that the Authority may use for the purposes of correspondence, including forms, other than with the International Bureau, and, where more than one language may be used, any conditions relating to the use of a language.

(2) The Authority may, by a notification to the International Bureau, modify the languages that the Authority may use for the purposes of correspondence other than with the International Bureau, and any conditions relating to the use of a language; any modification shall take effect on the date specified in the notification.

(3) Where more than one language has been indicated under this Article, the Authority shall give regard to the language or languages specified under Article 3 of this Agreement and to the language or languages whose use is authorized by the Authority under Rule 92.2(b).

Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

Article 11 Amendment

(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2037:

(i) if the Government of Canada gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

(ii) if the Director General of the World Intellectual Property Organization gives the Government of Canada written notice to terminate this Agreement.

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

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English and French languages, each text being equally authentic.

For the Government of Canada by:

For the International Bureau of the World
Intellectual Property Organization by:

[Annex V follows]

Draft Agreement

between the National Institute of Industrial Property of Chile
and the International Bureau of the World Intellectual Property Organization

in relation to the functioning of the National Institute of Industrial Property of Chile
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

(as in force from January 1, 2028)

Preamble

The National Institute of Industrial Property of Chile and the International Bureau of the World Intellectual Property Organization,

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

Hereby agree as follows:

Article 1 Terms and Expressions

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

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

Article 2

Basic Obligations

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

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

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

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

Article 3

Competence of Authority

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.

(4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45*bis* if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification under this paragraph shall specify the date that the changes shall take effect, provided that that

date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

Article 7 Languages of Correspondence Used by the Authority

(1) The International Bureau shall publish in the Gazette the language or languages that the Authority may use for the purposes of correspondence, including forms, other than with the International Bureau, and, where more than one language may be used, any conditions relating to the use of a language.

(2) The Authority may, by a notification to the International Bureau, modify the languages that the Authority may use for the purposes of correspondence other than with the International Bureau, and any conditions relating to the use of a language; any modification shall take effect on the date specified in the notification.

(3) Where more than one language has been indicated under this Article, the Authority shall give regard to the language or languages specified under Article 3 of this Agreement and to the language or languages whose use is authorized by the Authority under Rule 92.2(b).

Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

Article 11 Amendment

(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

- (1) This Agreement shall terminate before December 31, 2037:
- (i) if the National Institute of Industrial Property of Chile gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or
 - (ii) if the Director General of the World Intellectual Property Organization gives the National Institute of Industrial Property of Chile written notice to terminate this Agreement.

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

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English and Spanish languages, each text being equally authentic.

For the National Institute of Industrial
Property of Chile by:

For the International Bureau of the World
Intellectual Property Organization by:

[Annex VI follows]

Draft Agreement

between the China National Intellectual Property Administration
and the International Bureau of the World Intellectual Property Organization
in relation to the functioning of the China National Intellectual Property Administration
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

(as in force from January 1, 2028)

Preamble

The China National Intellectual Property Administration and the International Bureau of the World Intellectual Property Organization,

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

Hereby agree as follows:

Article 1 Terms and Expressions

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

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

Article 2 **Basic Obligations**

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

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

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

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

Article 3 **Competence of Authority**

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.

(4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45*bis* if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification under this paragraph shall specify the date that the changes shall take effect, provided that that

date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

Article 7 Languages of Correspondence Used by the Authority

(1) The International Bureau shall publish in the Gazette the language or languages that the Authority may use for the purposes of correspondence, including forms, other than with the International Bureau, and, where more than one language may be used, any conditions relating to the use of a language.

(2) The Authority may, by a notification to the International Bureau, modify the languages that the Authority may use for the purposes of correspondence other than with the International Bureau, and any conditions relating to the use of a language; any modification shall take effect on the date specified in the notification.

(3) Where more than one language has been indicated under this Article, the Authority shall give regard to the language or languages specified under Article 3 of this Agreement and to the language or languages whose use is authorized by the Authority under Rule 92.2(b).

Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

Article 11 Amendment

(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

- (1) This Agreement shall terminate before December 31, 2037:
- (i) if the China National Intellectual Property Administration gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or
 - (ii) if the Director General of the World Intellectual Property Organization gives the China National Intellectual Property Administration written notice to terminate this Agreement.

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

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English and Chinese languages, each text being equally authentic.

For the China National Intellectual Property
Administration by:

For the International Bureau of the World
Intellectual Property Organization by:

[Annex VII follows]

Draft Agreement

between the Eurasian Patent Organization
and the International Bureau of the World Intellectual Property Organization

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

(as in force from January 1, 2028)

Preamble

The Eurasian Patent Organization and the International Bureau of the World Intellectual Property Organization,

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

Hereby agree as follows:

Article 1 Terms and Expressions

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

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

Article 2

Basic Obligations

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

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

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

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

Article 3

Competence of Authority

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.

(4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45*bis* if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification under this paragraph shall specify the date that the changes shall take effect, provided that that

date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

Article 7 Languages of Correspondence Used by the Authority

(1) The International Bureau shall publish in the Gazette the language or languages that the Authority may use for the purposes of correspondence, including forms, other than with the International Bureau, and, where more than one language may be used, any conditions relating to the use of a language.

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(3) Where more than one language has been indicated under this Article, the Authority shall give regard to the language or languages specified under Article 3 of this Agreement and to the language or languages whose use is authorized by the Authority under Rule 92.2(b).

Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

Article 11 Amendment

(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2037:

(i) if the Eurasian Patent Organization gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

(ii) if the Director General of the World Intellectual Property Organization gives the Eurasian Patent Organization written notice to terminate this Agreement.

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

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English and Russian languages, each text being equally authentic.

For the Eurasian Patent Organization by:

For the International Bureau of the World
Intellectual Property Organization by:

[Annex VIII follows]

Draft Agreement

between the Egyptian Intellectual Property Authority
and the International Bureau of the World Intellectual Property Organization

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

(as in force from January 1, 2028)

Preamble

The Egyptian Intellectual Property Authority and the International Bureau of the World Intellectual Property Organization,

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

Hereby agree as follows:

Article 1 Terms and Expressions

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

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

Article 2 **Basic Obligations**

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

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

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

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

Article 3 **Competence of Authority**

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.

(4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45*bis* if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification under this paragraph shall specify the date that the changes shall take effect, provided that that

date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

Article 7 Languages of Correspondence Used by the Authority

(1) The International Bureau shall publish in the Gazette the language or languages that the Authority may use for the purposes of correspondence, including forms, other than with the International Bureau, and, where more than one language may be used, any conditions relating to the use of a language.

(2) The Authority may, by a notification to the International Bureau, modify the languages that the Authority may use for the purposes of correspondence other than with the International Bureau, and any conditions relating to the use of a language; any modification shall take effect on the date specified in the notification.

(3) Where more than one language has been indicated under this Article, the Authority shall give regard to the language or languages specified under Article 3 of this Agreement and to the language or languages whose use is authorized by the Authority under Rule 92.2(b).

Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

Article 11 Amendment

(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2037:

(i) if the Egyptian Intellectual Property Authority gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement;
or

(ii) if the Director General of the World Intellectual Property Organization gives the Egyptian Intellectual Property Authority written notice to terminate this Agreement.

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

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English and Arabic languages, each text being equally authentic.

For the Egyptian Intellectual Property
Authority by:

For the International Bureau of the World
Intellectual Property Organization by:

[Annex IX follows]

Draft Agreement

between the European Patent Organisation
and the International Bureau of the World Intellectual Property Organization

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

(as in force from January 1, 2028)

Preamble

The European Patent Organisation and the International Bureau of the World Intellectual Property Organization,

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

Hereby agree as follows:

Article 1 Terms and Expressions

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

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

Article 2 **Basic Obligations**

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

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

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

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

Article 3 **Competence of Authority**

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.

(4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45*bis* if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification under this paragraph shall specify the date that the changes shall take effect, provided that that

date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

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(2) The Authority may, by a notification to the International Bureau, modify the languages that the Authority may use for the purposes of correspondence other than with the International Bureau, and any conditions relating to the use of a language; any modification shall take effect on the date specified in the notification.

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Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

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(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2037:

(i) if the European Patent Organisation gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

(ii) if the Director General of the World Intellectual Property Organization gives the European Patent Organisation written notice to terminate this Agreement.

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

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English, French and German languages, each text being equally authentic.

For the European Patent Organisation by:

For the International Bureau of the World
Intellectual Property Organization by:

[Annex X follows]

Draft Agreement

between the Spanish Patent and Trademark Office, A.B. Kingdom of Spain
and the International Bureau of the World Intellectual Property Organization

in relation to the functioning of the Spanish Patent and Trademark Office, A.B.
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

(as in force from January 1, 2028)

Preamble

The Spanish Patent and Trademark Office, A.B. and the International Bureau of the World Intellectual Property Organization,

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

Hereby agree as follows:

Article 1 Terms and Expressions

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

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

Article 2 **Basic Obligations**

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

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

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

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

Article 3 **Competence of Authority**

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.

(4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45*bis* if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification under this paragraph shall specify the date that the changes shall take effect, provided that that

date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

Article 7 Languages of Correspondence Used by the Authority

(1) The International Bureau shall publish in the Gazette the language or languages that the Authority may use for the purposes of correspondence, including forms, other than with the International Bureau, and, where more than one language may be used, any conditions relating to the use of a language.

(2) The Authority may, by a notification to the International Bureau, modify the languages that the Authority may use for the purposes of correspondence other than with the International Bureau, and any conditions relating to the use of a language; any modification shall take effect on the date specified in the notification.

(3) Where more than one language has been indicated under this Article, the Authority shall give regard to the language or languages specified under Article 3 of this Agreement and to the language or languages whose use is authorized by the Authority under Rule 92.2(b).

Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

Article 11 Amendment

(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2037:

(i) if the Spanish Patent and Trademark Office, A.B. gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

(ii) if the Director General of the World Intellectual Property Organization gives the Spanish Patent and Trademark Office, A.B. written notice to terminate this Agreement.

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

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English and Spanish languages, each text being equally authentic.

For the Spanish Patent and Trademark
Office, A.B. Kingdom of Spain by:

For the International Bureau of the World
Intellectual Property Organization by:

[Annex XI follows]

Draft Agreement

between the Finnish Patent and Registration Office
and the International Bureau of the World Intellectual Property Organization

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

(as in force from January 1, 2028)

Preamble

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

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

Hereby agree as follows:

Article 1 Terms and Expressions

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

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

Article 2

Basic Obligations

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

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

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

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

Article 3

Competence of Authority

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.

(4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45*bis* if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification under this paragraph shall specify the date that the changes shall take effect, provided that that

date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

Article 7 Languages of Correspondence Used by the Authority

(1) The International Bureau shall publish in the Gazette the language or languages that the Authority may use for the purposes of correspondence, including forms, other than with the International Bureau, and, where more than one language may be used, any conditions relating to the use of a language.

(2) The Authority may, by a notification to the International Bureau, modify the languages that the Authority may use for the purposes of correspondence other than with the International Bureau, and any conditions relating to the use of a language; any modification shall take effect on the date specified in the notification.

(3) Where more than one language has been indicated under this Article, the Authority shall give regard to the language or languages specified under Article 3 of this Agreement and to the language or languages whose use is authorized by the Authority under Rule 92.2(b).

Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

Article 11 Amendment

(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2037:

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

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

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

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English language.

For the Finnish Patent and Registration
Office by:

For the International Bureau of the World
Intellectual Property Organization by:

[Annex XII follows]

Draft Agreement

between the Government of Israel
and the International Bureau of the World Intellectual Property Organization

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

(as in force from January 1, 2028)

Preamble

The Government of Israel and the International Bureau of the World Intellectual Property Organization,

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

Hereby agree as follows:

Article 1 Terms and Expressions

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

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

Article 2

Basic Obligations

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

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

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

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

Article 3

Competence of Authority

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.

(4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45*bis* if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification under this paragraph shall specify the date that the changes shall take effect, provided that that

date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

Article 7 Languages of Correspondence Used by the Authority

(1) The International Bureau shall publish in the Gazette the language or languages that the Authority may use for the purposes of correspondence, including forms, other than with the International Bureau, and, where more than one language may be used, any conditions relating to the use of a language.

(2) The Authority may, by a notification to the International Bureau, modify the languages that the Authority may use for the purposes of correspondence other than with the International Bureau, and any conditions relating to the use of a language; any modification shall take effect on the date specified in the notification.

(3) Where more than one language has been indicated under this Article, the Authority shall give regard to the language or languages specified under Article 3 of this Agreement and to the language or languages whose use is authorized by the Authority under Rule 92.2(b).

Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

Article 11 Amendment

(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2037:

(i) if the Government of Israel gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

(ii) if the Director General of the World Intellectual Property Organization gives the Government of Israel written notice to terminate this Agreement.

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

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English and Hebrew languages, each text being equally authentic.

For the Government of Israel by:

For the International Bureau of the World
Intellectual Property Organization by:

[Annex XIII follows]

Draft Agreement

between the Indian Patent Office
and the International Bureau of the World Intellectual Property Organization

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

(as in force from January 1, 2028)

Preamble

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

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

Hereby agree as follows:

Article 1 Terms and Expressions

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

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

Article 2

Basic Obligations

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

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

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

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

Article 3

Competence of Authority

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.

(4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45*bis* if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification under this paragraph shall specify the date that the changes shall take effect, provided that that

date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

Article 7 Languages of Correspondence Used by the Authority

(1) The International Bureau shall publish in the Gazette the language or languages that the Authority may use for the purposes of correspondence, including forms, other than with the International Bureau, and, where more than one language may be used, any conditions relating to the use of a language.

(2) The Authority may, by a notification to the International Bureau, modify the languages that the Authority may use for the purposes of correspondence other than with the International Bureau, and any conditions relating to the use of a language; any modification shall take effect on the date specified in the notification.

(3) Where more than one language has been indicated under this Article, the Authority shall give regard to the language or languages specified under Article 3 of this Agreement and to the language or languages whose use is authorized by the Authority under Rule 92.2(b).

Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

Article 11 Amendment

(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2037:

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

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

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

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English language.

For the Indian Patent Office by:

For the International Bureau of the World
Intellectual Property Organization by:

[Annex XIV follows]

Draft Agreement

between the Japan Patent Office
and the International Bureau of the World Intellectual Property Organization

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

(as in force from January 1, 2028)

Preamble

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

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

Hereby agree as follows:

Article 1 Terms and Expressions

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

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

Article 2 **Basic Obligations**

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

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

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

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

Article 3 **Competence of Authority**

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.

(4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45*bis* if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification under this paragraph shall specify the date that the changes shall take effect, provided that that

date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

Article 7 Languages of Correspondence Used by the Authority

(1) The International Bureau shall publish in the Gazette the language or languages that the Authority may use for the purposes of correspondence, including forms, other than with the International Bureau, and, where more than one language may be used, any conditions relating to the use of a language.

(2) The Authority may, by a notification to the International Bureau, modify the languages that the Authority may use for the purposes of correspondence other than with the International Bureau, and any conditions relating to the use of a language; any modification shall take effect on the date specified in the notification.

(3) Where more than one language has been indicated under this Article, the Authority shall give regard to the language or languages specified under Article 3 of this Agreement and to the language or languages whose use is authorized by the Authority under Rule 92.2(b).

Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

Article 11 Amendment

(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2037:

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

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

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

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English and Japanese languages, each text being equally authentic.

For the Japan Patent Office by:

For the International Bureau of the World
Intellectual Property Organization by:

[Annex XV follows]

Draft Agreement

between the Ministry of Intellectual Property of the Republic of Korea
and the International Bureau of the World Intellectual Property Organization

in relation to the functioning of the Ministry of Intellectual Property of the Republic of Korea
as an International Searching Authority and International Preliminary Examining Authority
under the Patent Cooperation Treaty

(as in force from January 1, 2028)

Preamble

The Ministry of Intellectual Property of the Republic of Korea and the International Bureau
of the World Intellectual Property Organization,

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

Hereby agree as follows:

Article 1 Terms and Expressions

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

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

Article 2 **Basic Obligations**

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

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

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

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

Article 3 **Competence of Authority**

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.

(4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45*bis* if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification under this paragraph shall specify the date that the changes shall take effect, provided that that

date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

Article 7 Languages of Correspondence Used by the Authority

(1) The International Bureau shall publish in the Gazette the language or languages that the Authority may use for the purposes of correspondence, including forms, other than with the International Bureau, and, where more than one language may be used, any conditions relating to the use of a language.

(2) The Authority may, by a notification to the International Bureau, modify the languages that the Authority may use for the purposes of correspondence other than with the International Bureau, and any conditions relating to the use of a language; any modification shall take effect on the date specified in the notification.

(3) Where more than one language has been indicated under this Article, the Authority shall give regard to the language or languages specified under Article 3 of this Agreement and to the language or languages whose use is authorized by the Authority under Rule 92.2(b).

Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

Article 11 Amendment

(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2037:

(i) if the Ministry of Intellectual Property of the Republic of Korea gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

(ii) if the Director General of the World Intellectual Property Organization gives the Ministry of Intellectual Property of the Republic of Korea written notice to terminate this Agreement.

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

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English and Korean languages, each text being equally authentic.

For the Ministry of Intellectual Property of the
Republic of Korea by:

For the International Bureau of the World
Intellectual Property Organization by:

[Annex XVI follows]

Draft Agreement

between the Intellectual Property Office of the Philippines
and the International Bureau of the World Intellectual Property Organization

in relation to the functioning of the Intellectual Property Office of the Philippines
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

(as in force from January 1, 2028)

Preamble

The Intellectual Property Office of the Philippines and the International Bureau of the World Intellectual Property Organization,

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

Hereby agree as follows:

Article 1 Terms and Expressions

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

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

Article 2

Basic Obligations

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

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

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

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

Article 3

Competence of Authority

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.

(4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45*bis* if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification under this paragraph shall specify the date that the changes shall take effect, provided that that

date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

Article 7 Languages of Correspondence Used by the Authority

(1) The International Bureau shall publish in the Gazette the language or languages that the Authority may use for the purposes of correspondence, including forms, other than with the International Bureau, and, where more than one language may be used, any conditions relating to the use of a language.

(2) The Authority may, by a notification to the International Bureau, modify the languages that the Authority may use for the purposes of correspondence other than with the International Bureau, and any conditions relating to the use of a language; any modification shall take effect on the date specified in the notification.

(3) Where more than one language has been indicated under this Article, the Authority shall give regard to the language or languages specified under Article 3 of this Agreement and to the language or languages whose use is authorized by the Authority under Rule 92.2(b).

Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

Article 11 Amendment

(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2037:

(i) if the Intellectual Property Office of the Philippines gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

(ii) if the Director General of the World Intellectual Property Organization gives the Intellectual Property Office of the Philippines written notice to terminate this Agreement.

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

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English language.

For the Intellectual Property Office of the
Philippines by:

For the International Bureau of the World
Intellectual Property Organization by:

[Annex XVII follows]

Draft Agreement

between the Federal Service for Intellectual Property of the Russian Federation
and the International Bureau of the World Intellectual Property Organization

in relation to the functioning of the
Federal Service for Intellectual Property of the Russian Federation
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

(as in force from January 1, 2028)

Preamble

The Federal Service for Intellectual Property of the Russian Federation and the
International Bureau of the World Intellectual Property Organization,

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

Hereby agree as follows:

Article 1 Terms and Expressions

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

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

Article 2 **Basic Obligations**

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

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

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

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

Article 3 **Competence of Authority**

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.

(4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45*bis* if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification under this paragraph shall specify the date that the changes shall take effect, provided that that

date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

Article 7 Languages of Correspondence Used by the Authority

(1) The International Bureau shall publish in the Gazette the language or languages that the Authority may use for the purposes of correspondence, including forms, other than with the International Bureau, and, where more than one language may be used, any conditions relating to the use of a language.

(2) The Authority may, by a notification to the International Bureau, modify the languages that the Authority may use for the purposes of correspondence other than with the International Bureau, and any conditions relating to the use of a language; any modification shall take effect on the date specified in the notification.

(3) Where more than one language has been indicated under this Article, the Authority shall give regard to the language or languages specified under Article 3 of this Agreement and to the language or languages whose use is authorized by the Authority under Rule 92.2(b).

Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

Article 11 Amendment

(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

- (1) This Agreement shall terminate before December 31, 2037:
- (i) if the Federal Service for Intellectual Property of the Russian Federation gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or
 - (ii) if the Director General of the World Intellectual Property Organization gives the Federal Service for Intellectual Property of the Russian Federation written notice to terminate this Agreement.

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

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English and Russian languages, each text being equally authentic.

For the Federal Service for Intellectual
Property of the Russian Federation by:

For the International Bureau of the World
Intellectual Property Organization by:

[Annex XVIII follows]

Draft Agreement

between the Saudi Authority for Intellectual Property
and the International Bureau of the World Intellectual Property Organization

in relation to the functioning of the Saudi Authority for Intellectual Property
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

(as in force from January 1, 2028)

Preamble

The Saudi Authority for Intellectual Property and the International Bureau of the World Intellectual Property Organization,

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

Hereby agree as follows:

Article 1 Terms and Expressions

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

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

Article 2

Basic Obligations

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

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

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

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

Article 3

Competence of Authority

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.

(4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45bis if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification under this paragraph shall specify the date that the changes shall take effect, provided that that

date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

Article 7 Languages of Correspondence Used by the Authority

(1) The International Bureau shall publish in the Gazette the language or languages that the Authority may use for the purposes of correspondence, including forms, other than with the International Bureau, and, where more than one language may be used, any conditions relating to the use of a language.

(2) The Authority may, by a notification to the International Bureau, modify the languages that the Authority may use for the purposes of correspondence other than with the International Bureau, and any conditions relating to the use of a language; any modification shall take effect on the date specified in the notification.

(3) Where more than one language has been indicated under this Article, the Authority shall give regard to the language or languages specified under Article 3 of this Agreement and to the language or languages whose use is authorized by the Authority under Rule 92.2(b).

Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

Article 11 Amendment

(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2037:

(i) if the Saudi Authority for Intellectual Property gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement;
or

(ii) if the Director General of the World Intellectual Property Organization gives the Saudi Authority for Intellectual Property written notice to terminate this Agreement.

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

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English and Arabic languages, each text being equally authentic.

For the Saudi Authority for Intellectual
Property by:

For the International Bureau of the World
Intellectual Property Organization by:

[Annex XIX follows]

Draft Agreement

between the Swedish Intellectual Property Office
and the International Bureau of the World Intellectual Property Organization

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

(as in force from January 1, 2028)

Preamble

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

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

Hereby agree as follows:

Article 1 Terms and Expressions

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

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

Article 2 **Basic Obligations**

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

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

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

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

Article 3 **Competence of Authority**

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.

(4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45*bis* if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification under this paragraph shall specify the date that the changes shall take effect, provided that that

date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

Article 7 Languages of Correspondence Used by the Authority

(1) The International Bureau shall publish in the Gazette the language or languages that the Authority may use for the purposes of correspondence, including forms, other than with the International Bureau, and, where more than one language may be used, any conditions relating to the use of a language.

(2) The Authority may, by a notification to the International Bureau, modify the languages that the Authority may use for the purposes of correspondence other than with the International Bureau, and any conditions relating to the use of a language; any modification shall take effect on the date specified in the notification.

(3) Where more than one language has been indicated under this Article, the Authority shall give regard to the language or languages specified under Article 3 of this Agreement and to the language or languages whose use is authorized by the Authority under Rule 92.2(b).

Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

Article 11 Amendment

(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2037:

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

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

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

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English language.

For the Swedish Intellectual Property Office
by:

For the International Bureau of the World
Intellectual Property Organization by:

[Annex XX follows]

Draft Agreement

between the Intellectual Property Office of Singapore
and the International Bureau of the World Intellectual Property Organization

in relation to the functioning of the Intellectual Property Office of Singapore
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

(as in force from January 1, 2028)

Preamble

The Intellectual Property Office of Singapore and the International Bureau of the World Intellectual Property Organization,

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

Hereby agree as follows:

Article 1 Terms and Expressions

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

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

Article 2 **Basic Obligations**

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

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

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

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

Article 3 **Competence of Authority**

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.

(4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45*bis* if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification under this paragraph shall specify the date that the changes shall take effect, provided that that

date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

Article 7 Languages of Correspondence Used by the Authority

(1) The International Bureau shall publish in the Gazette the language or languages that the Authority may use for the purposes of correspondence, including forms, other than with the International Bureau, and, where more than one language may be used, any conditions relating to the use of a language.

(2) The Authority may, by a notification to the International Bureau, modify the languages that the Authority may use for the purposes of correspondence other than with the International Bureau, and any conditions relating to the use of a language; any modification shall take effect on the date specified in the notification.

(3) Where more than one language has been indicated under this Article, the Authority shall give regard to the language or languages specified under Article 3 of this Agreement and to the language or languages whose use is authorized by the Authority under Rule 92.2(b).

Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

Article 11 Amendment

(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2037:

(i) if the Intellectual Property Office of Singapore gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement;
or

(ii) if the Director General of the World Intellectual Property Organization gives the Intellectual Property Office of Singapore written notice to terminate this Agreement.

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

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English language.

For the Intellectual Property Office of
Singapore by:

For the International Bureau of the World
Intellectual Property Organization by:

[Annex XXI follows]

Draft Agreement

between the Turkish Patent and Trademark Office
and the International Bureau of the World Intellectual Property Organization

in relation to the functioning of the Turkish Patent and Trademark Office
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty
(as in force from January 1, 2028)

Preamble

The Turkish Patent and Trademark Office and the International Bureau of the World Intellectual Property Organization,

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

Hereby agree as follows:

Article 1 Terms and Expressions

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

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

Article 2 **Basic Obligations**

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

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

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

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

Article 3 **Competence of Authority**

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.

(4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45*bis* if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification under this paragraph shall specify the date that the changes shall take effect, provided that that

date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

Article 7 Languages of Correspondence Used by the Authority

(1) The International Bureau shall publish in the Gazette the language or languages that the Authority may use for the purposes of correspondence, including forms, other than with the International Bureau, and, where more than one language may be used, any conditions relating to the use of a language.

(2) The Authority may, by a notification to the International Bureau, modify the languages that the Authority may use for the purposes of correspondence other than with the International Bureau, and any conditions relating to the use of a language; any modification shall take effect on the date specified in the notification.

(3) Where more than one language has been indicated under this Article, the Authority shall give regard to the language or languages specified under Article 3 of this Agreement and to the language or languages whose use is authorized by the Authority under Rule 92.2(b).

Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

Article 11 Amendment

(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2037:

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

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

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

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English language.

For the Turkish Patent and Trademark Office
by:

For the International Bureau of the World
Intellectual Property Organization by:

[Annex XXII follows]

Draft Agreement

between the Ministry of Economy, Environment and Agriculture of Ukraine
and the International Bureau of the World Intellectual Property Organization

in relation to the functioning of the
State Organization “Ukrainian National Office for Intellectual Property and Innovations”
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

(as in force from January 1, 2028)

Preamble

The Ministry of Economy, Environment and Agriculture of Ukraine and the International Bureau of the World Intellectual Property Organization,

Considering that the PCT Assembly, having heard the advice of the PCT Committee for Technical Cooperation, has appointed the State Organization “Ukrainian National Office for Intellectual Property and Innovations” as an International Searching and Preliminary Examining Authority under the Patent Cooperation Treaty and approved this Agreement in accordance with Articles 16(3) and 32(3),

Hereby agree as follows:

Article 1 Terms and Expressions

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

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

Article 2 **Basic Obligations**

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

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

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

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

Article 3 **Competence of Authority**

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.

(4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45*bis* if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification under this paragraph shall specify the date that the changes shall take effect, provided that that

date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

Article 7 Languages of Correspondence Used by the Authority

(1) The International Bureau shall publish in the Gazette the language or languages that the Authority may use for the purposes of correspondence, including forms, other than with the International Bureau, and, where more than one language may be used, any conditions relating to the use of a language.

(2) The Authority may, by a notification to the International Bureau, modify the languages that the Authority may use for the purposes of correspondence other than with the International Bureau, and any conditions relating to the use of a language; any modification shall take effect on the date specified in the notification.

(3) Where more than one language has been indicated under this Article, the Authority shall give regard to the language or languages specified under Article 3 of this Agreement and to the language or languages whose use is authorized by the Authority under Rule 92.2(b).

Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

Article 11 Amendment

(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2037:

(i) if the Ministry of Economy, Environment and Agriculture of Ukraine gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

(ii) if the Director General of the World Intellectual Property Organization gives the Ministry of Economy, Environment and Agriculture written notice to terminate this Agreement.

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

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English and Ukrainian languages, each text being equally authentic.

For the Ministry of Economy, Environment
and Agriculture of Ukraine by:

For the International Bureau of the World
Intellectual Property Organization by:

[Annex XXIII follows]

Draft Agreement

between the United States Patent and Trademark Office
and the International Bureau of the World Intellectual Property Organization

in relation to the functioning of the United States Patent and Trademark Office as an
International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty
(as in force from January 1, 2028)

Preamble

The United States Patent and Trademark Office and the International Bureau of the World Intellectual Property Organization,

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

Hereby agree as follows:

Article 1 Terms and Expressions

- (1) For the purposes of this Agreement:
 - (a) "Treaty" means the Patent Cooperation Treaty;
 - (b) "Regulations" means the Regulations under the Treaty;
 - (c) "Administrative Instructions" means the Administrative Instructions under the Treaty;
 - (d) "Article" (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
 - (e) "Rule" means a Rule of the Regulations;
 - (f) "Contracting State" means a State party to the Treaty;
 - (g) "the Authority" means the United States Patent and Trademark Office;
 - (h) "the International Bureau" means the International Bureau of the World Intellectual Property Organization.
- (2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2 **Basic Obligations**

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

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

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

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

Article 3 **Competence of Authority**

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.

(4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45*bis* if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification under this paragraph shall specify the date that the changes shall take effect, provided that that

date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

Article 7 Languages of Correspondence Used by the Authority

(1) The International Bureau shall publish in the Gazette the language or languages that the Authority may use for the purposes of correspondence, including forms, other than with the International Bureau, and, where more than one language may be used, any conditions relating to the use of a language.

(2) The Authority may, by a notification to the International Bureau, modify the languages that the Authority may use for the purposes of correspondence other than with the International Bureau, and any conditions relating to the use of a language; any modification shall take effect on the date specified in the notification.

(3) Where more than one language has been indicated under this Article, the Authority shall give regard to the language or languages specified under Article 3 of this Agreement and to the language or languages whose use is authorized by the Authority under Rule 92.2(b).

Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

Article 11 Amendment

(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2037:

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

(ii) if the Director General of the World Intellectual Property Organization gives the United States Patent and Trademark Office written notice to terminate this Agreement.

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

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English language.

For the United States Patent and Trademark
Office by:

For the International Bureau of the World
Intellectual Property Organization by:

[Annex XXIV follows]

Draft Agreement

between the Nordic Patent Institute
and the International Bureau of the World Intellectual Property Organization

in relation to the functioning of the Nordic Patent Institute
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

(as in force from January 1, 2028)

Preamble

The Nordic Patent Institute and the International Bureau of the World Intellectual Property Organization,

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

Hereby agree as follows:

Article 1 Terms and Expressions

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

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

Article 2 **Basic Obligations**

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

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

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

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

Article 3 **Competence of Authority**

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.

(4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45*bis* if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification under this paragraph shall specify the date that the changes shall take effect, provided that that

date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

Article 7 Languages of Correspondence Used by the Authority

(1) The International Bureau shall publish in the Gazette the language or languages that the Authority may use for the purposes of correspondence, including forms, other than with the International Bureau, and, where more than one language may be used, any conditions relating to the use of a language.

(2) The Authority may, by a notification to the International Bureau, modify the languages that the Authority may use for the purposes of correspondence other than with the International Bureau, and any conditions relating to the use of a language; any modification shall take effect on the date specified in the notification.

(3) Where more than one language has been indicated under this Article, the Authority shall give regard to the language or languages specified under Article 3 of this Agreement and to the language or languages whose use is authorized by the Authority under Rule 92.2(b).

Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

Article 11 Amendment

(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

(1) This Agreement shall terminate before December 31, 2037:

(i) if the Nordic Patent Institute gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

(ii) if the Director General of the World Intellectual Property Organization gives the Nordic Patent Institute written notice to terminate this Agreement.

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

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English language.

For the Nordic Patent Institute by:

For the International Bureau of the World
Intellectual Property Organization by:

[Annex XXV follows]

Draft Agreement

between the Visegrad Patent Institute
and the International Bureau of the World Intellectual Property Organization

in relation to the functioning of the Visegrad Patent Institute
as an International Searching Authority
and International Preliminary Examining Authority
under the Patent Cooperation Treaty

(as in force from January 1, 2028)

Preamble

The Visegrad Patent Institute and the International Bureau of the World Intellectual Property Organization,

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

Hereby agree as follows:

Article 1 Terms and Expressions

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

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

Article 2 **Basic Obligations**

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

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

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

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

Article 3 **Competence of Authority**

(1) The Authority shall act as International Searching Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international search, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(2) The Authority shall act as International Preliminary Examining Authority for any international application filed with the receiving Office of, or acting for, any of the Contracting States for which the Authority will act, provided that the receiving Office specifies the Authority for that purpose, that such application, or a translation thereof furnished for the purposes of international preliminary examination, is in the language or one of the languages that the Authority will accept and any other requirements regarding international applications published under this Article have been met, and, where applicable, that the Authority has been chosen by the applicant.

(3) The International Bureau shall publish in the Gazette the Contracting States for which the Authority will act as International Searching Authority and International Preliminary Examining Authority, the languages that the Authority will accept, and any other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, applicable at the date of entry into force of this Agreement.

(4) Without prejudice to paragraph (5), modifications may be made to the Contracting States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority, the languages that the Authority will accept and other requirements regarding international applications determining the competence of the Authority to act as International Searching Authority and International Preliminary Examining Authority, by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(5) The Authority may, by a notification to the International Bureau, add to the States for which the Authority will act as International Searching Authority or International Preliminary Examining Authority and the languages that the Authority will accept for international applications; any addition shall take effect on the date specified in the notification.

(6) Where a receiving Office specifies the Authority under paragraphs (1) and (2), the Authority shall become competent for international applications filed at that receiving Office from a date to be agreed by the receiving Office and the Authority and to be notified to the International Bureau, that date being at least two months later than the date on which the notification is received by the International Bureau.

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

(8) The Authority shall be competent to carry out supplementary international searches in accordance with Rule 45*bis* if it has notified the International Bureau of its preparedness to do so, specifying the documentation that the supplementary international search will cover and any limitations and conditions on the competency of the Authority. The Authority may, at any time, notify the International Bureau that it wishes to modify the documentation and the limitations and conditions, or notify that the Authority is no longer prepared to be competent to carry out supplementary international searches; any modification shall take effect from the date specified in the notification, provided that, in the case that the Authority is no longer prepared to be competent to carry out supplementary international searches, that date is at least six months later than the date on which the notification is received by the International Bureau.

Article 4 **Subject Matter Not Required to Be Searched or Examined**

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that such application relates to subject matter set forth in Rule 39.1 or 67.1, as the case may be, with the exception of the subject matter that the Authority has notified to the International Bureau; any changes to the exceptions of the subject matter shall take effect on the date specified in the notification.

Article 5 **Fees and Charges**

(1) The International Bureau shall publish in the Gazette, the fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, and, where applicable, as an Authority specified for supplementary search, and any conditions for and the extent of refunds and reductions in fees, as applicable on the date of entry into force of this Agreement.

(2) The Authority may, by a notification to the International Bureau, change the currencies or amounts of the fees of the Authority or of the charges which the Authority is entitled to make, in relation to its functions as an International Searching Authority and International Preliminary Examining Authority, add or remove any fees or charges that may be required by the Authority, add or remove any late fees for which payment may be subjected by the Authority, and make changes in the conditions for and the extent of refunds or reductions of fees permitted under the Treaty and Regulations, provided that any amount paid by mistake, without cause, or in excess of the amount due, for fees shall be refunded. Any notification under this paragraph shall specify the date that the changes shall take effect, provided that that

date is at least two months later than the date on which the notification is received by the International Bureau.

Article 6 Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate the classification of the subject matter according to the International Patent Classification. The Authority may, in addition, in accordance with Rules 43.3 and 70.5, indicate the classification of the subject matter according to any other patent classification that it has notified to the International Bureau to the extent decided by it as set out in that notification; any changes to the other patent classifications shall take effect on the date specified in the notification.

Article 7 Languages of Correspondence Used by the Authority

(1) The International Bureau shall publish in the Gazette the language or languages that the Authority may use for the purposes of correspondence, including forms, other than with the International Bureau, and, where more than one language may be used, any conditions relating to the use of a language.

(2) The Authority may, by a notification to the International Bureau, modify the languages that the Authority may use for the purposes of correspondence other than with the International Bureau, and any conditions relating to the use of a language; any modification shall take effect on the date specified in the notification.

(3) Where more than one language has been indicated under this Article, the Authority shall give regard to the language or languages specified under Article 3 of this Agreement and to the language or languages whose use is authorized by the Authority under Rule 92.2(b).

Article 8 International-Type Search

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

Article 9 Entry into Force

This Agreement shall enter into force on January 1, 2028.

Article 10 Duration and Renewability

This Agreement shall remain in force until December 31, 2037. The parties to this Agreement shall, no later than July 2035, start negotiations for its renewal.

Article 11 Amendment

(1) Amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) The International Bureau shall publish any amendments or notifications provided for under this Agreement in the Gazette.

Article 12
Termination

- (1) This Agreement shall terminate before December 31, 2037:
- (i) if the Visegrad Patent Institute gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or
 - (ii) if the Director General of the World Intellectual Property Organization gives the Visegrad Patent Institute written notice to terminate this Agreement.
- (2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

In witness whereof the parties hereto have executed this Agreement.

Done at *[city]*, this *[date]*, in two originals in the English language.

For the Visegrad Patent Institute by:

For the International Bureau of the World
Intellectual Property Organization by:

[End of Annex XXV and of document]