INTERNATIONAL PATENT COOPERATION UNION
(PCT UNION)

ASSEMBLY

Fifth Session (3rd Extraordinary)*
Geneva, June 9 to 16, 1980

PROPOSAL FOR AMENDMENT TO THE PCT REGULATIONS

Made by the International Bureau

The following new text of Rule 16bis (replacing that contained in document PCT/A/V/4, page 35) is proposed by the International Bureau:

Rule 16bis

Later Payment of Fees

16bis.1   Guarantee by International Bureau

Where the receiving Office finds that the fees concerning an international application were not or not fully paid by the date applicable under Rule 15(4), it shall charge the fee or the missing part of the fee to the International Bureau which shall claim the amount so charged, augmented by 100%, from the applicant. If the applicant fails to pay the amount so claimed to the International Bureau within one month from the date of corresponding notification by the International Bureau, the International Bureau shall make a corresponding notification to the receiving Office which will declare the international application withdrawn

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and notify the International Bureau accordingly. The latter shall notify the interested national Offices and international authorities accordingly.

16bis.2   Reimbursement of Certain Fees

Where the international application is considered withdrawn by virtue of the preceding paragraph, the receiving Office shall credit the International Bureau with the amount of the basic fee and the designation fees, and the International Searching Authority shall reimburse the international search fee to the International Bureau, provided that, if it has already started the international search, it may withhold an amount corresponding to the work it has already accomplished.

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