

PCT NEWSLETTER

New WIPO Deputy Director General for Patents

Mr. James Pooley took up his functions at WIPO on 1 December 2009 as Deputy Director General for Patents, with responsibilities for the PCT, the Standing Committee on the Law of Patents, innovation promotion and technology transfer.

A national of the United States of America, Mr. Pooley has worked as a lawyer in private practice in Silicon Valley since 1973, where he handled a wide range of patent, trademark and copyright cases in state and federal courts. He has also taught for many years as an Adjunct Professor at Boalt Hall Law School (the University of California at Berkeley), and has authored numerous texts relating to patents and trade secrets. Mr. Pooley also served recently as President of the American Intellectual Property Law Association and as President of the National Inventors Hall of Fame.



*Mr. James Pooley,
WIPO's new Deputy Director
General for Patents*

Further information on Mr. Pooley's previous experience can be seen in his curriculum vitae, which is reproduced in Annex V of WIPO document WO/CC/61/2 at:

http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=123292

PCT Billing Scam Stopped by Florida Attorney General

A Florida-based company in the United States of America ("Federated Institute for Patent and Trademark Registry") was last month found by a Florida court to have violated the state's Deceptive and Unfair Trade Practices Act by sending misleading "invoices" to patent and trademark applicants – including to PCT users.

The company was requesting payment for a service which in fact had no value – listing PCT applications in its "Register". WIPO cooperated with the Florida authorities in this case. During the trial, a PCT expert from WIPO provided testimony about the misleading nature of the invitations and the harm suffered by PCT applicants. The judgment in this case is a promising step toward curbing this deceptive practice, and WIPO will continue to cooperate with law-enforcement authorities in states and countries which make efforts to curtail these practices. Further details about the case were published in a press release issued by the Office of the Attorney General of Florida at:

<http://www.myfloridalegal.com/newsrel.nsf/newsreleases/1F9988D229725B6B8525769006ADBB4>

It is recalled that warnings have consistently been published in the *PCT Newsletter* about invitations to PCT applicants and agents to pay fees that do not come from the International Bureau of WIPO and are unrelated to the processing of international applications under the PCT. Note that recently two new invitations have been identified originating from "WBIP, Corp. – World Bureau Intellectual Property". To view an example of the new invitations, as well as the

many other examples which have been brought to the attention of WIPO by PCT users, and for further information on such requests in general, see:

http://www.wipo.int/pct/en/warning/pct_warning.htm

PCT applicants and agents should note that it is the International Bureau of WIPO alone which publishes all PCT applications promptly after the expiration of 18 months from the priority date (see PCT Article 21(2)(a)); there is no separate fee for such international publication, and the legal effects of international publication are set out in PCT Article 29.

If they have not already done so, PCT applicants and agents are advised to bring this information to the attention of the people responsible for handling payments of fees within their organizations, as well as to the attention of all applicants and inventors who are named in PCT applications and thus who might receive such requests.

In case of doubt in relation to any such invitation, please do not hesitate to contact the PCT Information Service of the International Bureau at:

Telephone: +41 22 338 83 38

Fax: +41 22 338 83 39

E-mail: pct.infoline@wipo.int

Entry into Full Production Mode of PCT Online Document Upload Facility

Further to the announcement in *PCT Newsletter* No. 01/2009 of the pilot phase of the PCT Online Document Upload facility, the International Bureau (IB) is pleased to announce that this service will be fully operational for all PCT users as of Monday, 18 January, 2010.

The Online Document Upload facility permits PCT applicants and/or their agents to submit to the IB via a web interface electronic documents, in PDF format, relating to international applications. The main advantage of this service is that post-filing electronic documents can be submitted quickly and efficiently to the IB, thus avoiding the costs and delays relating to paper mailing and also overcoming image quality problems that can result from fax transmissions or paper scanning.

IMPORTANT: This service is ***not to be used for the initial filing of international applications*** online, but is limited to the submission of later-filed documents that are normally addressed to WIPO ***in its capacity as International Bureau only*** (and not in its capacity as receiving Office). Note also that documents cannot be uploaded for any international application for which the IB has not already received the Record Copy from the receiving Office and started processing the application.

Examples of the types of documents that can be sent in this way are:

- amendments to the claims under PCT Article 19;
- requests for recording change of person, name, address, etc., under PCT Rule 92*bis*;
- notices of withdrawal;
- requests for Supplementary International Search (SIS), and where applicable, translations of international applications and sequence listings under PCT Rule 13*ter* for SIS purposes;

- informal comments on the written opinion of the International Searching Authority; and
- general correspondence for the attention of the IB.

With regard to the transmittal of such documents online, it is recommended that:

- PDF-text documents be uploaded, that is, documents created in MS Word (or some other word processor) and then printed to PDF, so that the embedded text content can be processed electronically by the IB;
- the document type be clearly identified, especially in the case of a notice of withdrawal; and
- the use of text string signatures be used on letters, for example: “/ John Smith /” (in other words, there is no need to print a letter on paper in order to sign it and then rescan it for submission).

As from 18 January 2010, the Online Document Upload facility, as well as user guidelines, which explain the online upload facility and provide simple instructions for use, can be accessed via WIPO's PATENTSCOPE® website, by clicking on the link “PCT Service Centre” at:

<http://www.wipo.int/pctdb/en/>

WIPO Digital Access Service for Priority Documents (DAS)

With effect from 1 January 2010, the International Bureau (IB) is able to retrieve priority documents through the WIPO Digital Access Service for Priority Documents (DAS) for use with international applications filed under the PCT. A notification to this effect was made on 30 December 2009 and can be found under the heading “Notification by the International Bureau” at:

<http://www.wipo.int/patentscope/en/pdocforum/participating.html>

This means that a PCT applicant can request the IB to retrieve a copy of an earlier application from DAS for use as a priority document, instead of having to provide a certified copy, as long as:

- (a) the document in question has been added to DAS by a participating "depositing Office" (see below); and
- (b) the applicant has indicated that the International Bureau should have access to that document, using the applicant portal at: https://webaccess.wipo.int/priority_documents/en/

Background

The Offices ("depositing Offices") which currently allow applicants to make applications available to DAS are as follows:

AU – Australian Patent Office

ES – Spanish Patent and Trademark Office

GB – United Kingdom Intellectual Property Office (an operating name of the Patent Office)

IB – International Bureau of WIPO (for PCT applications filed at RO/IB)

JP – Japan Patent Office

KR – Korean Intellectual Property Office

US – United States Patent and Trademark Office

Several more Offices are expected to join this system in the near future. Details of how to request any particular depositing Office to make a document available to DAS are available from the respective websites of those Offices.

The legal basis for recognition of priority documents retrieved by the IB through DAS is PCT Rule 17.1(b-*bis*)(ii) in conjunction with Sections 715 and 716 of the Administrative Instructions under the PCT, which entered into force on 1 January 2010 (see “Modifications to the Administrative Instructions under the PCT”, below).

The service under PCT Rule 17.1(b), whereby the receiving Office, where it has issued a priority document, prepares a copy of the priority document and sends it directly to the IB, continues to apply and is not affected by the addition of this complementary service.

Using DAS for International Applications under the PCT

The IB will recognize requests to obtain documents from DAS for any international application for which the 16-month time limit under PCT Rule 17.1(b-*bis*) has not yet expired on 1 January 2010, provided that the applicant has taken all the necessary steps to ensure that the application has been made available to the IB through the Service. Notably, as well as making sure that the document is available to DAS, the applicant needs to check the box in the applicant Web portal indicating that the IB is permitted access to that document. Otherwise, the IB will not be able to retrieve the document.

The IB does not charge any fee for this service, though the depositing Office may charge a fee for making the priority document available to the system in the first place.

Making the Request

A request for the International Bureau to obtain a priority document from the Digital Access Service can be made in the following ways:

1. Paper applications

Tick the relevant check box(es) in Box No. IV (“Priority Claim”) of the request form (Form PCT/RO/101), as in force from 1 January 2010, available from:

http://www.wipo.int/pct/en/forms/request/ed_request.pdf

2. Electronic applications and PCT-EASY filings

Pending the implementation of equivalent check-boxes in PCT-SAFE, include a letter to the IB, clearly requesting that some or all of the priority documents be retrieved using the Digital Access Service. The content of the letter should preferably be as follows, and should not deal with any other matters:

"The International Bureau is requested to retrieve [the priority document(s)] [the following priority document(s)] for this international application using the WIPO Digital Access Service for Priority Documents."

If only certain of the documents are available through this system, the letter should specify which priority documents are to be retrieved that way and that the other documents will either be forwarded by the receiving Office or else provided as certified copies in the conventional way.

Such a letter can be included in an application prepared using PCT-SAFE as follows:

- (a) In the “Contents” tab, select “Accompanying Items”.
- (b) Select “Other” from the drop-down list of item types and type “p-doc retrieval” in the box to describe the item.
- (c)
 - (i) If filing a fully electronic application using PCT-SAFE, double-click on the item which appears in the “Content Details” list to open a dialog box allowing the file containing the letter to be attached (this should preferably be in PDF format where this is accepted by the relevant receiving Office, otherwise in JPEG or TIFF format).
 - (ii) If filing a PCT-EASY or PCT EASY/EFS-Web application, double-click on the item and indicate that the document is enclosed.

3. International applications which have already been filed

Send a letter, which must reach the IB prior to 16 months from the priority date, quoting the international application number and clearly requesting that some or all of the priority documents be retrieved using the Digital Access Service. The content of the letter should preferably be as follows and be clearly marked as a separate section if any other issues are dealt with:

"The International Bureau is requested to retrieve [the priority document(s)] [the following priority document(s)] for international application PCT/XXyyyy/nnnnnn using the WIPO Digital Access Service for Priority Documents."

Help

Support is available from the PCT-SAFE Help Desk (pctsafe.help@wipo.int), which acts as focal point for DAS-related issues as well as for PCT-SAFE.

Modifications to the Administrative Instructions under the PCT

The Administrative Instructions under the PCT have been revised, with effect from 1 January 2010, in order to implement provisions of the PCT Regulations which permit the applicant to request that priority documents be obtained by receiving Offices and the International Bureau from digital libraries rather than having to be supplied directly by the applicant (for further information, see “WIPO Digital Access Service for Priority Documents (DAS)”, above). The modifications consist of the addition of new Sections 715 and 716.

The consolidated text of the Administrative Instructions, as in force from 1 January 2010, which includes those modifications, is available on the WIPO website in English and French, in PDF and HTML formats at, respectively:

<http://www.wipo.int/pct/en/texts/pdf/ai.pdf>

http://www.wipo.int/pct/en/texts/ai/ai_index.html

<http://www.wipo.int/pct/fr/texts/pdf/ai.pdf>

http://www.wipo.int/pct/fr/texts/ai/ai_index.html

Modifications to the Request Form

The request form (PCT/RO/101) has been revised with effect from 1 January 2010.

The modifications include:

- The addition of check-boxes in Box No. IV (“Priority Claim”) to allow applicants to request the retrieval of priority documents from the receiving Office or the International Bureau from a digital library, in accordance with PCT Rule 17.1(b-bis);
- The possibility to exclude the designation of the Russian Federation has been deleted in order to reflect the change in the national law with effect from 5 June 2009 (see *PCT Newsletter* No. 09/2009);
- A new check-box in Boxes II and IV to allow applicants to authorize the International Bureau (as well as the receiving Office and the International Searching and Preliminary Examining Authority if those offices are willing to do so) to send notices by e-mail exclusively, without a paper copy being sent (please see note about this new check box, below).

Corresponding modifications have also been made to the notes to the request form, and information has also been added to advise applicants to mark-up the request form where the copy submitted is the original of an earlier copy filed by fax.

The revised version of the request form, in English and French, is now available in editable PDF format at, respectively:

http://www.wipo.int/pct/en/forms/request/ed_request.pdf

http://www.wipo.int/pct/fr/forms/request/ed_request.pdf

Note about new Check Box in the Request Form Relating to the Sending of Notifications by E-mail Exclusively

Following the promulgation of the revised PCT request form (PCT/RO/101), which entered into effect on 1 January 2010, it is now possible for applicants to request, by checking the appropriate check-box in Boxes II and IV of that form, that the International Bureau (IB) (as well as the receiving Office and the International Searching and Preliminary Examining Authority if those offices are willing to do so) send them copies of notifications by e-mail only and no longer also in paper form. ***However, it is recommended that the option to request notifications “exclusively in electronic form (no paper notifications will be sent)” be used initially only by applicants that have already been successfully receiving advance copies of notifications by e-mail from the IB and who are satisfied with the electronic delivery to their given e-mail address, as validated by the subsequent receipt of the paper copy.***

For applicants who do not yet have the experience of receiving notifications by e-mail from the IB and who wish to do so, it is recommended as a first step to begin by requesting electronic “advance copies followed by paper copies” prior to opting to receive forms exclusively by e-mail. Such an approach will allow applicants to validate that delivery of notifications to their chosen e-mail address is sufficiently reliable before requesting that the parallel paper copies be discontinued. This recommendation is made in light of the fact that a certain number of e-mail

addresses supplied to the IB contain typographical errors or are invalid, resulting in “bounced” e-mails back to the IB or otherwise being undelivered. Please note that, in respect of any e-mails that do bounce back to the IB, the applicant will be informed and invited to supply a correct e-mail address.

PCT Information Update

MD Republic of Moldova (types of protection; means of telecommunication; provisional protection after international publication; time when name and address of inventor must be given)

The State Agency on Intellectual Property (Republic of Moldova) has informed the International Bureau (IB) of changes concerning the filing of documents by means of telecommunication; documents may now be filed by fax, by e-mail and in electronic form on diskette, CD or DVD.

There has been a change in the types of protection available in the Republic of Moldova via the PCT, as follows:

Types of protection available via the PCT:

| | |
|-----------|-----------------------------|
| National: | Patents, short-term patents |
| Eurasian: | [No change] |

There have been changes in the provisions concerning provisional protection in the Republic of Moldova after international publication where the designation is made for the purposes of a national patent, as follows:

The publication of the translation into Moldovan of the international application gives the applicant provisional protection in the sense that he, upon grant of the patent, is entitled to damages (see Art. 43(3) and Art. 19 of the Moldovan Law on the Protection of Patents for Inventions). International patent applications shall be published before the expiry of a time limit of six months from the date on which the national phase was entered (see Art. 49(4) of the Moldovan Law on the Protection of Patents for Inventions).

The Office has notified a change in its requirements as to the time when the name and address of the inventor must be given if the Republic of Moldova is designated or elected, as follows:

Must be in the request. If the data concerning the inventor are missing at the expiration of the time limit under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit fixed in the invitation.

(Updating of *PCT Applicant's Guide*, Annex B1 (MD))

PT Portugal (criteria applicable and fees payable for requests for restoration of the right of priority)

It was announced in *PCT Newsletter* No. 12/2009 that applicants should refer to the National Institute of Industrial Property (Portugal) in its capacity as receiving Office and designated (or elected) Office for the applicable criteria and/or any fee payable for requests for restoration of the right of priority under PCT Rules 26*bis*.3 and 49*ter*.2. The Office has now informed the IB that, as was stated previously, it applies the “due care” criterion to such requests, and that the

fee for requesting the restoration of the right of priority is EUR 150 (on-line) or EUR 300 (on paper).

(Updating of *PCT Applicant's Guide*, Annex C (PT), National Chapter, Summary (PT) and the table of "Restoration of right of priority" (see "Table concerning restoration of the right of priority" under "New/Updated PCT Resources on the Internet", below).

TH Thailand (general information; acceptance of international applications filed using the PCT-EASY functionality of the PCT-SAFE software)

General information about Thailand as a PCT Contracting State, as well as information on the requirements of the Department of Intellectual Property (DIP) (Thailand) as receiving Office has been published in the *PCT Applicant's Guide* (see Annexes B1 and C (TH) on the WIPO website at, respectively:

http://www.wipo.int/pct/guide/en/gdvol1/annexes/annexb1/ax_b_th.pdf

http://www.wipo.int/pct/guide/en/gdvol1/annexes/annexc/ax_c_th.pdf

Note that the DIP has notified the IB that it will accept the filing of international applications containing requests in PCT-EASY format, together with PCT-EASY diskettes.

Search fee (Australian Patent Office)

As from 15 March 2010, there will be a change in the equivalent amount payable in ZAR for an international search carried out by the Australian Patent Office, as indicated in Fee Table I(b).

(Updating of *PCT Applicant's Guide*, Annex D (AU))

Search and preliminary examination fees (Austrian Patent Office)

It was announced in *PCT Newsletter* No. 12/2009 that the Austrian Patent Office had notified the International Bureau that, in order to harmonize its search and preliminary examination fees with those charged by the European Patent Office, the fee payable for an international search by the Austrian Patent Office will change to EUR 1,700, and the fee payable for an international preliminary examination by that Office will change to EUR 1,675. The date of effect of the changes in those fees was given as 1 January 2010, or when the law amending the fees is published, if that is later. The Austrian Patent Office has now confirmed to the IB that the date of effect of the fee changes is 1 January 2010. As far as the search fee is concerned, the equivalent amounts in CHF, SGD, USD and ZAR have been established and are published in PCT Fee Table I(b); the equivalent amount in KRW has not yet been established but will be published shortly. Information about the criteria for entitlement to a 75% reduction in both of the fees will be published shortly on the website of the Austrian Patent Office.

(Updating of *PCT Applicant's Guide*, Annexes D and E (AT))

United States Patent and Trademark Office: Not Open for Business on 21 December 2009

The United States Patent and Trademark Office has informed the International Bureau under PCT Rule 80.5 that, due to bad weather conditions, it was not open to the public for the purposes of the transaction of official business on Monday, 21 December 2009.

Consequently, pursuant to PCT Rule 80.5, if the expiration of any period during which any document or fee in connection with an international application was required to reach that Office fell on 21 December 2009, that period was extended so as to expire on the next working day, which was Tuesday, 22 December 2009.

New/Updated PCT Resources on the Internet (<http://www.wipo.int/pct/en>)

Modifications to the Administrative Instructions under the PCT

A new consolidated text of the Administrative Instructions, applicable with effect from 1 January 2010, is now available – see “Modifications to the Administrative Instructions under the PCT”, above.

Modified Request Form

The request form (PCT/RO/101) has been updated in English and French with effect from 1 January 2010 – for details, see “Modifications to the Request Form”, above. Note that other language versions, as well as filled-in versions, are currently under preparation.

ISA and IPEA Agreements

Updated versions of the Agreements, in English and French, between the International Bureau of WIPO and the following Authorities as International Searching Authorities (ISAs) and International Preliminary Examining Authorities (IPEAs) and, in the case of the National Board of Patents and Registration of Finland, as International Searching Authority specified for Supplementary Search (SISA):

- CN State Intellectual Property Office of the People’s Republic of China (24 December 2009)
- ES Spanish Patent and Trademark Office (1 January 2010)
- FI National Board of Patents and Registration of Finland (1 January 2010)
- KR Korean Intellectual Property Office (1 January 2010)
- US United States Patent and Trademark Office (USPTO) (24 December 2009)

relating to the functioning of those Authorities as ISAs, IPEAs and SISAs under the PCT, as in force from the dates indicated in parentheses, have been published in PDF format at:

http://www.wipo.int/pct/en/access/isa_ipea_agreements.html

http://www.wipo.int/pct/fr/access/isa_ipea_agreements.html

Italian version of the Patent Cooperation Treaty and Regulations

The Patent Cooperation Treaty and Regulations under the PCT, as in force from 1 July 2009, are now available in Italian, in PDF format, at, respectively:

<http://www.wipo.int/pct/it/texts/pdf/pct.pdf>

http://www.wipo.int/pct/it/texts/pdf/pct_reggs.pdf

PCT Applicant's Guide: New Annex SISA (FI)

Further to the information published in *PCT Newsletter* No. 12/2009, new Annex SISA (FI) of the *PCT Applicant's Guide*, containing information on the National Board of Patents and Registration of Finland in its capacity as SISA, is now available in English and French at, respectively:

http://www.wipo.int/pct/guide/en/gdvol1/annexes/annexsisa/ax_sisa_fi.pdf

http://www.wipo.int/pct/guide/fr/gdvol1/annexes/annexsisa/ax_sisa_fi.pdf

Information on PCT fee reductions

It is recalled that since 1 February 2009, the international search fee payable to the Spanish Patent and Trademark Office is reduced by 75% if the application is filed in Spanish and the applicant or, if there are two or more applicants, each applicant is a natural person or a legal entity and is a national of and resides in a State not party to the European Patent Convention and which is classified by the World Bank in the group of countries of "low income", "lower middle income" or "upper middle income". The list of States concerned by this reduction has been updated and is available at:

http://www.wipo.int/pct/en/fees/oepm_fee_reduction.html

Table concerning restoration of the right of priority

The table summarizing information received by the IB regarding restoration of the right of priority by receiving Offices and designated Offices under PCT Rules 26*bis*.3 and 49*ter*.2 has been updated in English and French, at, respectively:

<http://www.wipo.int/pct/en/texts/restoration.html>

<http://www.wipo.int/pct/fr/texts/restoration.html>

Materials for the European Qualifying Examination (EQE)

In order to assist candidates in the preparation of materials for the European Qualifying Examination (EQE) for prospective European patent attorneys, the International Bureau, with the agreement of the Examination Board for the EQE, has made available on the website four PDF files for the *PCT Applicant's Guide*, the International Phase and the National Phase as of 31 December 2009 in English and French at, respectively:

http://www.wipo.int/pct/en/seminar/eqe_collection_ip.pdf

http://www.wipo.int/pct/en/seminar/eqe_collection_np.pdf

http://www.wipo.int/pct/fr/seminar/eqe_collection_ip.pdf

http://www.wipo.int/pct/fr/seminar/eqe_collection_np.pdf

For printing purposes, please be warned that these PDF files are large – the complete collection in either language amounts to some 1,700 recto/verso pages. To avoid printing difficulties select "Fit to Printable Area" in the "Page Scaling" options when printing.

PCT-SAFE Update

Release of new version of the PCT-SAFE Client software

A new version of the PCT-SAFE Client software (version 3.51.044.220), dated 1 January 2010, may now be downloaded from the PCT-SAFE website at:

http://www.wipo.int/pct-safe/en/download/download_client.htm

This version (“build 220”) includes the following changes:

- new PCT Contracting State Thailand (TH) as from 24 December 2009;
- information on the National Industrial Property Institute (Chile) (RO/CL), the National Institute for the Defense of Competition and Intellectual Property (Peru) (RO/PE) and the Department of Intellectual Property (Thailand) (RO/TH) as receiving Offices;
- improvement in the validation of sequence listing files (for electronic filing) for compliance with Annex C/ST.25;
- enhanced character rendering for certain special characters for fully electronic applications filed in xml format;
- updated fee schedules for all Offices; and
- other minor functionality and graphic user interface enhancements and PCT updates.

Further details are available on the PCT-SAFE website at:

<http://www.wipo.int/pct-safe/en/index.html>

New numbering system in the 2010 edition of the *PCT Applicant's Guide*

The International Bureau has carried out a critical review of the structure and numbering in the *PCT Applicant's Guide* (<http://www.wipo.int/pct/guide/en/index.html>) to make it more user-friendly.

As a result, a chapter-dependant numbering structure has been introduced and roman figures have been abandoned for the individual chapter numbers. Minor editorial changes were also carried out during this review process and this new edition of the *Guide*, containing all of these changes, will be published on 14 January 2010 in English; the French version will follow. A further update to the text of the *Guide*, which will take into account the changes that entered into force on 1 January 2010, will be published shortly.

Practical Advice

Expiration of a time limit where an Office is situated in more than one locality

Q: I filed a demand for international preliminary examination with the European Patent Office (EPO) in Munich on 7 January 2010. I would normally have filed it with the EPO in The Hague, but, since I had just missed the time limit for filing the demand, which expired on 6 January 2010, I filed it by fax with the Munich Office, which was not open for business on 6 January. By doing this, I knew that, given that the Munich Office was closed on that day, the time limit would be extended by a day, to 7 January, and my demand would be considered to have been

received on time. I wondered whether my demand would have been considered as filed after the applicable time limit if it had been filed with the EPO at The Hague, which was not closed on 6 January, or whether it would have been considered as having being received on time?

A: Any time limits for the filing of a document with, or for the payment of a fee to, the EPO, which would normally have expired on 6 January 2010, will have been extended to 7 January, irrespective of whether the demand was filed with the Office in Munich, The Hague or Berlin. Therefore, even if you had filed your demand at the Office at The Hague, it would have been considered as having being received within the applicable time limit.¹

This situation is covered by PCT Rule 80.5(iii), and also by the European Patent Convention. Since you filed with the Munich Office (that is, the Office which was actually closed), the time limit will have been extended in accordance with PCT Rule 80.5(i), which states that if the expiration of any period during which any document or fee must reach a national Office or intergovernmental organization falls on a day on which such Office or organization is not open to the public for the purposes of the transaction of official business, the period shall expire on the next day on which none of the circumstances mentioned in PCT Rule 80.5 exist. However, if you had filed with one of the Offices in The Hague or Berlin, this would have fallen under the provisions of PCT Rule 80.5(iii), which states that if the expiration of any period during which any document or fee must reach a national Office or intergovernmental organization falls on a day which, where such Office or organization is situated in more than one locality, is an official holiday in at least one of the localities in which such Office or organization is situated, **and in circumstances where the national law applicable by that Office or organization provides**, in respect of such national applications, that, in such a case, such period shall expire on a subsequent day, the period shall expire on the next day on which none of the circumstances mentioned in PCT Rule 80.5 exist.

In the case of the EPO, the relevant national law is Rule 134(1) of the European Patent Convention, which states that where a time limit expires on a day on which one of the filing offices of the EPO is not open for receipt of documents, the time limit is extended until the first day thereafter on which all the filing offices are open for receipt of documents.

Note that where a Contracting State has more than one Office or address for correspondence, PCT Rule 80.5(iv) may apply where there is an official holiday in part of that Contracting State, as long as the national law applicable by that Office provides, in respect of national applications, that, in such a case, such period shall expire on a subsequent day. For example, as far as Canada is concerned, the Canadian Intellectual Property Office (CIPO) itself is in the province of Quebec, but there are various designated establishments in other parts of the country which receive correspondence addressed to the Commissioner of Patents. One such establishment is Industry Canada in Toronto, which is in the province of Ontario; this may have different official holidays from the province of Quebec, where CIPO is located. PCT Rule 80.5(iv) may therefore be applied at times when designated establishments have different official holidays from CIPO.

¹ The time limit for filing a demand is three months from the date of transmittal to the applicant of the international search report (or the declaration referred to in PCT Article 17(2)(a)) and of the written opinion established under PCT Rule 43*bis*.1, or 22 months from the priority date, whichever expires later (PCT Rule 54*bis*.1(a)). However, if the applicant wishes to benefit from the time limit for entry into the national phase under PCT Article 39(1) in certain States for which the 30-month time limit under PCT Article 22(1) is not applicable, the demand should be filed prior to the expiration of the 19th month from the priority date.

For specific information about the meeting of time limits which expire on a day on which a statutory holiday falls in Canada, see:

<http://www.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/wr00823.html>

It is recalled that annual lists of closing dates of industrial property Offices, wherever they have been made available to the International Bureau, have been published on the WIPO website at:

<http://www.wipo.int/pct/en/closeddates/index.html>

Where available, the dates for any separate branch Offices are also given.

| PCT Seminar Calendar | | | |
|---|----------------------------|---|---|
| (http://www.wipo.int/pct/en/seminar/seminar.pdf) | | | |
| (situation on 1 January 2010) | | | |
| Dates and location | Language of seminar | Nature of seminar; WIPO speakers (and others where known) | Organizer and contact numbers |
| 22 January 2010 Lisbon (PT) | English | PCT seminar WIPO speaker: Ms. Coeckelbergs EPO speaker: Mr. Robert Cramer | European Patent Institute (EPI) (Ms. Martina Fromm) Tel: (49-89) 24 20 52 15 Fax: (49-89) 24 20 52 20 E-mail: info@patentepi.com |
| 3 February 2010 Ecully (FR) | French | PCT seminar WIPO speaker: Ms. Coeckelbergs | Centre Paul Roubier Tel: (33-4) 78 33 07 08 Fax: (33-4) 78 33 58 96 |
| 8-9 February 2010 Dallas (US) | English | Basic PCT seminar WIPO speakers: Mr. Reed and Ms. Bidwell | KIP Connections, LLC (Ms. Suzanne Kiefer) Tel: (1-214) 683-5662 Fax: (1-214) 853-5237 E-mail: skiefer@kipconnections.com |
| 10 February 2010 Dallas (US) | English | Advanced PCT seminar WIPO speakers: Mr. Reed and Ms. Bidwell | KIP Connections, LLC (Ms. Suzanne Kiefer) Tel: (1-214) 683-5662 Fax: (1-214) 853-5237 E-mail: skiefer@kipconnections.com |
| 18-19 February 2010 Munich (DE) | German | Basic PCT seminar WIPO speakers: Ms. Coeckelbergs and Ms. Weiss | Forum Institut für Management GmbH Tel: (49-6221) 500 500 Fax: (49-6221) 500 505 E-mail: a.kapeller@forum-institut.de |
| 25 February 2010 Atlanta (US) | English | Advanced seminar on the PCT WIPO speakers: Mr. Reed and Mrs. Bidwell | State Bar of Georgia Intellectual Property Law Section Contact: Institute of Continuing Legal Education (ICLE) in Georgia E-mail: icle@iclega.org Internet: www.iclega.org/schedule.html |
| 4-5 March 2010 San Francisco (US) | English | Basic PCT seminar WIPO speakers: to be announced | Intellectual Property International (Ms. Virginia H. Meyer) Tel: (1-415) 381 26 15 Fax: (1-415) 389 89 38 E-mail: info@ipiseminars.com Internet: www.ipiseminars.com |
| 8-9 March 2010 Chicago (US) | English | Basic PCT training WIPO speakers: to be announced | The John Marshall Law School Department of Event Management Tel: (1-312) 987 14 20 Fax: (1-312) 427 71 28 E-mail: Events@jmls.edu |
| 19-20 April 2010 Houston (US) | English | PCT comprehensive seminar WIPO speakers: Mrs. Bidwell and Mr. Reed | PCT Learning Center (Ms. Frimmel Smith) Tel: (1-571) 212 38 68 Fax: (1-703) 636 89 74 E-mail: contact@pctlearningcenter.org Internet: www.pctlearningcenter.org |
| 23-24 April 2010 Concord, New Hampshire (US) | English | Seminar on the PCT WIPO speakers: Mrs. Bidwell and Mr. Reed | Franklin Pierce Law Center (Ms. Carol Ruh) Tel: (1-603) 228 15 41, ext. 1108 Fax: (1-603) 225 96 47 E-mail: cruh@piercelaw.edu Internet: www.piercelaw.edu/cle/pct.php |

[continued on next page]

| PCT Seminar Calendar [continued] | | | |
|---|----------------------------|--|--|
| (situation on 1 January 2010) | | | |
| Dates and location | Language of seminar | Nature of seminar; WIPO speakers (and others where known) | Organizer and contact numbers |
| 29–30 April 2010 London (GB) | English | Basic PCT formalities seminar WIPO speakers: Mrs. Coeckelbergs and Ms. Bisi-Kurkdjian | Management Forum Ltd Tel: (44-1483) 57 00 99 Fax: (44-1483) 53 64 24 E-mail: josephine.leak@management-forum.co.uk |
| 19–20 May 2010 Munich (DE) | German | Advanced PCT seminar WIPO speakers: to be announced | Forum Institut für Management GmbH Tel: (49-6221) 500 500 Fax: (49-6221) 500 505 E-mail: a.kapeller@forum-institut.de |
| 28 May 2010 Paris (FR) | French | PCT seminar WIPO speaker: to be announced | Fédération Nationale pour le Droit de l'Entreprise (FNDE) (Mrs. Heuzé) Tel: (33–1) 42 66 18 19 Fax: (33–1) 42 66 17 37 E-mail: pheuze@fnde.asso.fr |
| 8 October 2010 London (GB) | English | PCT presentation in the framework of the 9th Annual Conference for Senior Patent Administrators WIPO speaker: to be announced | Management Forum Ltd Tel: (44-1483) 73 00 71 Fax: (44-1483) 73 00 08 E-mail: josephine.leak@management-forum.co.uk |
| 10 December 2010 London (GB) | English | PCT update seminar WIPO speaker: to be announced | Management Forum Ltd Tel: (44-1483) 73 00 71 Fax: (44-1483) 73 00 08 E-mail: josephine.leak@management-forum.co.uk |

PCT Fee Tables

(amounts on 1 January 2010, unless otherwise indicated)

The following Tables show the amounts and currencies of the main PCT fees which are payable to the receiving Offices (ROs) and the International Preliminary Examining Authorities (IPEAs) during the international phase under Chapter I (Tables I(a) and I(b)) and under Chapter II (Table II). Fees which are payable only in particular circumstances are not shown; nor are details of certain reductions and refunds which may be available; such information can be found in the *PCT Applicant's Guide*, Annexes C, D and E. Note that all amounts are subject to change due to variations in the fees themselves or fluctuations in exchange rates. The international filing fee may be reduced by CHF 100, 200 or 300 where the international application, or part of the international application, is filed in electronic form, as prescribed under Item 4(a), (b), (c) and (d) of the Schedule of Fees (annexed to the Regulations under the PCT) and the *PCT Applicant's Guide*, paragraph 202(A). A 90% reduction in the international filing fee (including the fee per sheet over 30) and the handling fee, as well as an exemption from the transmittal fee payable to the International Bureau as receiving Office, is also available to applicants from certain States—see footnotes 2 and 13. (Note that if the CHF 100, 200 or 300 reduction, as the case may be, and the 90% reduction are applicable, the 90% reduction is calculated **after** the CHF 100, 200 or 300 reduction.) The footnotes to the Fee Tables follow Table II.

Key to abbreviations used in fee tables:

| | | | | | | | | | |
|--------------------|---|-----|------------------------|-----|--------------------|-----|--------------------|-----|----------------------------|
| eq | equivalent of – | BHD | Bahraini dinar | GHS | Ghanaian cedi | LYD | Libyan dinar | SGD | Singapore dollar |
| IPEA | International Preliminary Examining Authority | BRL | Brazilian real | GTQ | Quetzal | MAD | Moroccan dirham | SKK | Slovak koruna |
| ISA | International Searching Authority | BYR | Belarussian rouble | HRK | Croatian kuna | MKD | Macedonian denar | THB | Baht |
| RO | receiving Office | BZD | Belize dollar | HUF | Hungarian forint | MWK | Malawian kwacha | TJS | Tajik somoni |
| | | CAD | Canadian dollar | IDR | Indonesian rupiah | MXN | Mexican peso | TND | Tunisian dinar |
| | | CHF | Swiss franc | ILS | New Israeli sheqel | MYR | Malaysian ringgit | TTD | Trinidad and Tobago dollar |
| | | CLP | Chilean peso | INR | Indian rupee | NOK | Norwegian krone | | |
| Currencies: | | CNY | Yuan renminbi | ISK | Icelandic krona | NZD | New Zealand dollar | UAH | Ukrainian hryvnia |
| | | COP | Colombian peso | JPY | Japanese yen | PEN | Nuevo sol | USD | US dollar |
| AED | United Arab Emirates dirham | CUC | Cuban convertible peso | KES | Kenyan shilling | PGK | Kina | VND | Vietnamese dong |
| ALL | Albanian lek | CZK | Czech koruna | KGS | Kyrgyz som | PHP | Philippine peso | XAF | CFA franc BEAC |
| AMD | Armenian dram | DKK | Danish krone | KPW | KP won | PLN | Polish zloty | ZAR | South African rand |
| AUD | Australian dollar | DZD | Algerian dinar | KRW | KR won | RON | New leu | ZWD | Zimbabwe dollar |
| AZN | Azerbaijani manat | EEK | Estonian kroon | KZT | Kazakh tenge | RSD | Serbian dinar | | |
| BAM | Convertible mark | EUR | Euro | LSL | Lesotho loti | RUB | Russian rouble | | |
| BGN | Bulgarian lev | GBP | Pound sterling | LTL | Lithuanian litas | SDG | Sudanese pound | | |
| | | GEL | Georgian lari | LVL | Latvian lat | SEK | Swedish krona | | |

Table I(a) — Transmittal and international filing fees

(amounts on 1 January 2010, unless otherwise indicated)

| RO | Transmittal fee ¹ | | International filing fee ^{1, 2} (CHF 1,330) | Fee per sheet over 30 ^{1, 2, 3} (CHF 15) | E-filing reductions according to Schedule of Fees: | | | Competent ISA(s) ⁴ |
|----|-------------------------------|---------------------------------|---|--|---|-------------------------------------|-------------------------------------|-------------------------------|
| | | | | | Items 4(a) ⁵ and (b) ⁶ (CHF 100) | Item 4(c) ⁷ (CHF 200) | Item 4(d) ⁸ (CHF 300) | |
| AG | Information not yet available | | | | | | | |
| AL | ALL | 9,000 | CHF 1,330 | 15 | – | – | – | EP |
| AM | AMD | 32,000 | USD 1,300 | 15 | 98 | – | – | EP RU |
| AP | USD | 50 (or eq in local currency) | USD 1,300 | 15 | 98 | – | – | AT EP SE |
| AT | EUR | 50 | EUR 878 | 10 | 66 | – | – | EP |
| AU | AUD | 150 | AUD 1,489 | 17 | 112 | 224 | 336 | AU KR |
| AZ | AZN | 55,000 | USD 1,300 | 15 | – | – | – | EP RU |
| BA | BAM | 50 | EUR 878 | 10 | 66 | – | – | EP |
| BE | EUR | 40 | EUR 878 | 10 | 66 | – | – | EP |
| BG | BGN | 80 | BGN eq CHF 1,330 | eq CHF 15 | eq CHF 100 | – | – | EP RU |
| BH | BHD | 70 | USD 1,300 | 15 | – | – | – | AT EP US |
| BR | BRL | 305 | BRL eq CHF 1,330 | eq CHF 15 | eq CHF 100 | – | – | AT BR EP SE US |
| BW | USD ⁹ | – | USD 1,300 | 15 | 98 | – | – | EP |
| BY | BYR eq USD | 70 | USD 1,300 | 15 | – | – | – | EP RU |
| BZ | BZD | 300 | USD 1,300 | 15 | 98 | – | – | CA EP |
| CA | CAD | 300 | CAD 1,388 | 16 | 104 | 209 | 313 | CA |
| CH | CHF | 100 | CHF 1,330 | 15 | 100 | – | – | EP |
| CL | CLP eq USD ¹⁰ | 350 | CLP eq USD ¹⁰ 1,300 | eq USD ¹⁰ 15 | eq USD ¹⁰ 98 | – | – | EP ES US |
| CN | CNY | 500 | CNY eq CHF 1,330 | eq CHF 15 | eq CHF 100 | eq CHF 200 | eq CHF 300 | CN |
| CO | COP ⁹ | – | COP eq USD 1,300 | eq USD 15 | eq USD 98 | – | – | AT, EP, ES, RU |

[continued on next page]

Table I(a) — Transmittal and international filing fees [continued]

(amounts on 1 January 2010, unless otherwise indicated)

| RO | Transmittal fee ¹ | | International filing fee ^{1,2} | | Fee per sheet over 30 ^{1,2,3} | E-filing reductions according to Schedule of Fees: | | | Competent ISA(s) ⁴ |
|----|--|-----------------------------------|---|---------|--|--|------------------------|------------------------|-------------------------------|
| | | | | | | Items 4(a) ⁵ and (b) ⁶ | Item 4(c) ⁷ | Item 4(d) ⁸ | |
| CR | USD | 250 | USD | 1,300 | 15 | 98 | – | – | EP ES |
| CU | CUC | 200 | CUC | 1,300 | 15 | 98 | – | – | AT EP ES RU |
| CY | EUR | 128.15 | EUR | 878 | 10 | – | – | – | EP |
| CZ | CZK | 1,500 | EUR | 878 | 10 | 66 | – | – | EP |
| DE | EUR | 90 | EUR | 878 | 10 | 66 | 132 | 198 | EP |
| DK | DKK | 1,500 | DKK | 6,540 | 70 | 490 | 980 | 1,470 | EP SE XN |
| DM | Information not yet available | | | | | | | | |
| DO | USD | 275 | USD | 1,300 | 15 | 98 | – | – | EP ES US |
| DZ | DZD | None | CHF | 1,330 | 15 | 100 | – | – | AT EP |
| EA | RUB | 1,600 | USD | 1,300 | 15 | 98 | – | – | EP RU |
| EC | USD ⁹ | – | USD | 1,300 | 15 | 98 | – | – | EP ES |
| EE | EEK | 1,800 | CHF | 1,330 | 15 | 100 | – | – | EP |
| EG | USD | 142 | USD | 1,300 | 15 | 98 | – | – | AT EP US |
| EP | EUR | 110 | EUR | 878 | 10 | – | 132 | 198 | EP |
| ES | EUR | 71.35 | EUR | 878 | 10 | 66 | 132 | 198 | EP ES |
| FI | EUR | 135 | EUR | 878 | 10 | – | 132 | 198 | EP FI SE |
| FR | EUR | 60 | EUR | 878 | 10 | 66 | 132 | 198 | EP |
| GB | GBP | 55 | GBP | 794 | 9 | – | 119 | 179 | EP |
| GD | Information not yet available | | | | | | | | |
| GE | GEL ¹¹ | 10 | USD | 1,300 | 15 | 98 | – | – | EP RU |
| GH | GHS ¹² | 2,500 or 5,000 | USD | 1,300 | 15) | – | – | – | AT AU CN EP SE |
| GR | EUR | 115 | EUR | 878 | 10 | 66 | – | – | EP |
| GT | GTQ eq USD | 250 | USD | 1,300 | 15 | 98 | – | – | AT EP ES US |
| HN | Information not yet available | | | | | | | | |
| HR | HRK | 200 | HRK eq CHF | 1,330 | eq CHF 15 | eq CHF 100 | – | – | EP |
| HU | HUF | 10,700 | HUF eq CHF | 1,330 | eq CHF 15 | eq CHF 100 | – | – | EP RU |
| IB | CHF ¹³ | 100 | CHF | 1,330 | 15 | 100 | 200 | 300 | See footnote 14 |
| | or EUR ¹³ | 66 | or EUR | 878 | 10 | 66 | 132 | 198 | |
| | or USD ¹³ | 98 | or USD | 1,300 | 15 | 98 | 195 | 293 | |
| ID | IDR | 1,000,000 | IDR eq CHF | 1,330 | eq CHF 15 | eq CHF 100 | – | – | AU EP KR RU |
| IE | EUR | 76 | EUR | 878 | 10 | 66 | – | – | EP |
| IL | ILS | 532 | USD | 1,300 | 15 | 98 | – | – | EP US |
| IN | INR | 8,000 (filing by indiv: 2,000) | USD | 1,300 | 15 | 98 | – | – | AT AU CN EP SE US |
| IS | ISK | 7,700 | ISK | 160,100 | 1,800 | 12,000 | – | – | EP SE XN |
| IT | EUR | 30.99 | EUR | 878 | 10 | – | – | – | EP |
| JP | JPY | 13,000 | JPY | 118,400 | 1,300 | 8,900 | – | 26,700 | EP JP |
| KE | USD 250 (or KES equiv) plus cost of mailing | | USD | 1,300 | 15 | 98 | – | – | AT AU CN EP SE |

[continued on next page]

Table I(a) — Transmittal and international filing fees [continued]

(amounts on 1 January 2010, unless otherwise indicated)

| RO | Transmittal fee ¹ | International filing fee ^{1,2} | Fee per sheet over 30 ^{1,2,3} | E-filing reductions according to Schedule of Fees: | | | Competent ISA(s) ⁴ |
|----|-------------------------------|---|--|--|------------------------|------------------------|-------------------------------|
| | | | | Items 4(a) ⁵ and (b) ⁶ | Item 4(c) ⁷ | Item 4(d) ⁸ | |
| KG | KGS eq USD 100 | USD 1,300 | 15 | 98 | – | – | EP RU |
| KM | Information not yet available | | | | | | |
| KN | Information not yet available | | | | | | |
| KP | KPW eq CHF 50 | KPW eq CHF 1,330 | eq CHF 15 | eq CHF 100 | – | – | AT CN RU |
| KR | KRW 45,000 | KRW 1,567,000 | 18,000 | 118,000 | – | 353,000 | AT AU JP ¹⁵ KR |
| KZ | KZT 7,360 ¹⁶ | USD 1,300 | 15 | 98 | – | – | EP RU |
| LR | USD 45 | USD 1,300 | 15 | – | – | – | AT AU CN EP SE |
| LS | LSL ⁹ – | LSL eq CHF 1,330 | eq CHF 15 | – | – | – | AT EP |
| LT | LTL 320 | EUR 878 | 10 | 66 | – | – | EP RU |
| LU | EUR 19 | EUR 878 | 10 | – | – | – | EP |
| LV | LVL 48.40 | EUR 878 | 10 | 66 | – | – | EP RU |
| LY | LYD ⁹ – | CHF 1,330 | 15 | 100 | – | – | AT EP |
| MA | None | CHF 1,330 | 15 | – | – | – | AT EP RU SE |
| MC | EUR 54 ¹⁷ | EUR 878 | 10 | – | – | – | EP |
| MD | EUR 100 | USD 1,300 | 15 | 98 | – | – | EP RU |
| MK | MKD 2,700 | MKD eq CHF 1,330 | eq CHF 15 | eq CHF 100 | – | – | EP |
| MN | None | CHF 1,330 | 15 | 100 | – | – | EP KR RU |
| MT | EUR 55 | EUR 878 | 10 | 66 | – | – | EP |
| MW | MWK 6,000 | MWK 181,900 | 2,100 | 13,700 | – | – | EP |
| MX | MXN eq USD 323.70 | MXN eq CHF 1,330 | eq CHF 15 | eq CHF 100 | – | – | EP ES SE US |
| MY | MYR 375 ¹⁸ | MYR eq CHF 1,330 | eq CHF 15 | – | eq CHF 200 | eq CHF 300 | AU EP KR |
| NI | USD 200 | USD 1,300 | 15 | 98 | – | – | EP ES |
| NL | EUR 50 | EUR 878 | 10 | 66 | 132 | 198 | EP |
| NO | NOK 550 | NOK 7,580 | 90 | 570 | – | – | EP SE XN |
| NZ | NZD 180 ¹⁹ | NZD 1,802 | 20 | 135 | – | – | AU EP KR US |
| OA | XAF ⁹ – | XAF eq CHF 1,330 | eq CHF 15 | – | – | – | AT EP RU SE |
| PE | PEN ⁹ – | PEN eq USD 1,300 | eq USD 15 | eq USD 98 | – | – | AT EP ES US |
| PG | PGK 250 | USD 1,300 | 15 | 98 | – | – | AU |
| PH | PHP 3,500 | USD 1,300 | 15 | 98 | 195 | 293 | AU EP JP KR US |
| PL | PLN 300 | PLN eq CHF 1,330 | eq CHF 15 | – | eq CHF 200 | eq CHF 300 | EP |
| PT | EUR 20 | EUR 878 | 10 | 66 | – | – | EP |
| RO | RON 300,000 | CHF 1,330 | 15 | 100 | 200 | 300 | EP RU |
| RS | RSD 5,000 | RSD eq CHF 1,330 | eq CHF 15 | eq CHF 100 | – | – | EP |
| RU | RUB 600 | USD 1,300 | 15 | 98 | – | – | EP RU |
| SC | USD ⁹ – | USD 1,300 | 15 | – | – | – | EP |
| SD | SDG 50 | SDG eq CHF 1,330 | eq CHF 15 | – | – | – | EP |
| SE | SEK 1,200 | SEK 8,840 | 100 | 660 | 1,330 | 1,990 | EP SE |
| SG | SGD 150 | SGD 1,835 | 21 | 138 | – | – | AT AU EP KR |
| SI | EUR 91 | EUR 878 | 10 | 66 | – | – | EP |
| SK | EUR 66 | EUR 878 | 10 | 66 | 132 | 198 | EP |
| SM | EUR 50 | EUR 878 | 10 | – | – | – | EP |
| SV | USD 200 | USD 1,300 | 15 | 98 | – | – | EP ES |
| SY | USD ⁹ – | USD 1,300 | 15 | 98 | – | – | AT EP RU |
| TH | THB 3,000 | THB eq CHF 1,330 | eq CHF 15 | eq CHF 100 | – | – | CN EP US |
| TJ | TJS ⁹ – | USD 1,300 | 15 | – | – | – | EP RU |

[continued on next page]

Table I(a) — Transmittal and international filing fees [continued]

(amounts on 1 January 2010, unless otherwise indicated)

| RO | Transmittal fee ¹ | International filing fee ^{1,2} | Fee per sheet over 30 ^{1,2,3} | E-filing reductions according to Schedule of Fees: | | | Competent ISA(s) ⁴ |
|----|--|---|--|--|------------------------|------------------------|-------------------------------|
| | | | | Items 4(a) ⁵ and (b) ⁶ | Item 4(c) ⁷ | Item 4(d) ⁸ | |
| TM | USD ⁹ – | USD 1,300 | 15 | 98 | – | – | EP RU |
| TN | TND ⁹ – | CHF 1,330 | 15 | – | – | – | EP |
| TR | CHF 100 | CHF 1,330 | 15 | 100 | – | – | EP |
| TT | TTD 750 | USD 1,300 | 15 | 98 | – | – | AT EP SE US |
| UA | UAH or eq EUR or USD ²⁰ 1,300 | USD (or eq UAH or EUR) 1,300 | 15 | – | – | – | EP RU |
| US | USD 240 | USD 1,300 | 15 | 98 | 195 | – | AU EP KR US |
| UZ | USD ⁹ – | USD 1,300 | 15 | 98 | – | – | EP RU |
| VC | Information not yet available | | | | | | |
| VN | VND eq USD 150 | VND eq CHF 1,330 | eq CHF 15 | – | – | – | AT AU EP KR RU SE |
| ZA | ZAR 500 | ZAR 9,590 | 110 | 720 | – | – | AT AU EP US |
| ZM | USD 50 | USD 1,300 | 15 | – | – | – | AT SE |
| ZW | ZWD 6,000 | ZWD eq USD 1,300 | eq USD 15 | eq USD 98 | – | – | AT AU CN EP RU |

Table I(b) — Search fees

(amounts on 1 January 2010, unless otherwise indicated)

| ISA | Search fee ¹ | | | | | | | | |
|------------------|------------------------------|-------------------------|-------------------------|-----------------------|-------------------------|--|-------------------------|--|--|
| AT ²¹ | EUR 1,700 | CHF 2,574 | SGD 3,550 | USD 2,515 | ZAR 18,560 | <i>(Equivalent amounts in KRW have not yet been established)</i> | | | |
| AU | AUD 1,600 | CHF 1,430 | EUR 944 | KRW 1,684,000 | NZD 1,937 | SGD 1,970 | USD 1,397 | | |
| | * (from 15.3.10: ZAR 11,060) | | | | | | | | |
| BR ²² | BRL 1,900 | CHF 1,076 | EUR 711 | USD 1,052 | | | | | |
| CA | CAD 1,600 | CHF 1,533 | EUR 1,012 | USD 1,498 | | | | | |
| CN | CNY 2,100 | CHF 314 | EUR 208 | USD 307 | | | | | |
| EP ²³ | EUR 1,700 | CHF 2,574 | DKK 12,650 | GBP 1,536 | ISK 310,000 | JPY 229,000 | MWK 352,000 | | |
| | ZAR 18,560 | NOK 14,670 | NZD 3,487 | SEK 17,110 | SGD 3,550 | USD 2,515 | | | |
| ES ²³ | EUR 1,700 | CHF 2,574 | USD 2,515 | | | | | | |
| FI | EUR 1,700 | CHF 2,574 | USD 2,515 | | | | | | |
| JP | JPY 97,000 | CHF 1,090 | EUR 720 | KRW 1,284,000 | USD 1,065 | | | | |
| KR | KRW 1,300,000 ²⁴ | AUD 1,192 ²⁴ | CHF 1,116 ²⁴ | EUR 737 ²⁴ | NZD 1,464 ²⁴ | SGD 1,530 ²⁴ | USD 1,092 ²⁴ | | |
| | KRW 450,000 ²⁵ | AUD 428 ²⁵ | CHF 382 ²⁵ | EUR 252 ²⁵ | NZD 517 ²⁵ | SGD 530 ²⁵ | USD 373 ²⁵ | | |
| RU | RUB 13,500 | CHF 459 | EUR 303 | USD 449 | | | | | |
| SE | SEK 17,110 | CHF 2,574 | DKK 12,650 | EUR 1,700 | ISK 310,000 | NOK 14,670 | USD 2,515 | | |
| US | USD 2,080 | CHF 2,129 | EUR 1,406 | NZD 2,880 | ZAR 15,350 | | | | |
| XN | DKK 12,650 | CHF 2,574 | EUR 1,700 | ISK 310,000 | NOK 14,670 | USD 2,515 | | | |

Table I(c) — Supplementary search fees

(amounts on 1 January 2010, unless otherwise indicated)

| ISA | Supplementary search fee | Supplementary search handling fee |
|-----|---|-----------------------------------|
| FI | CHF 2,574 | CHF 200 |
| RU | Equivalent in CHF of RUR ²⁶ 9,450 (13,500) ²⁷ | CHF 200 |
| SE | CHF 2,574 | CHF 200 |
| XN | CHF 2,574 | CHF 200 |

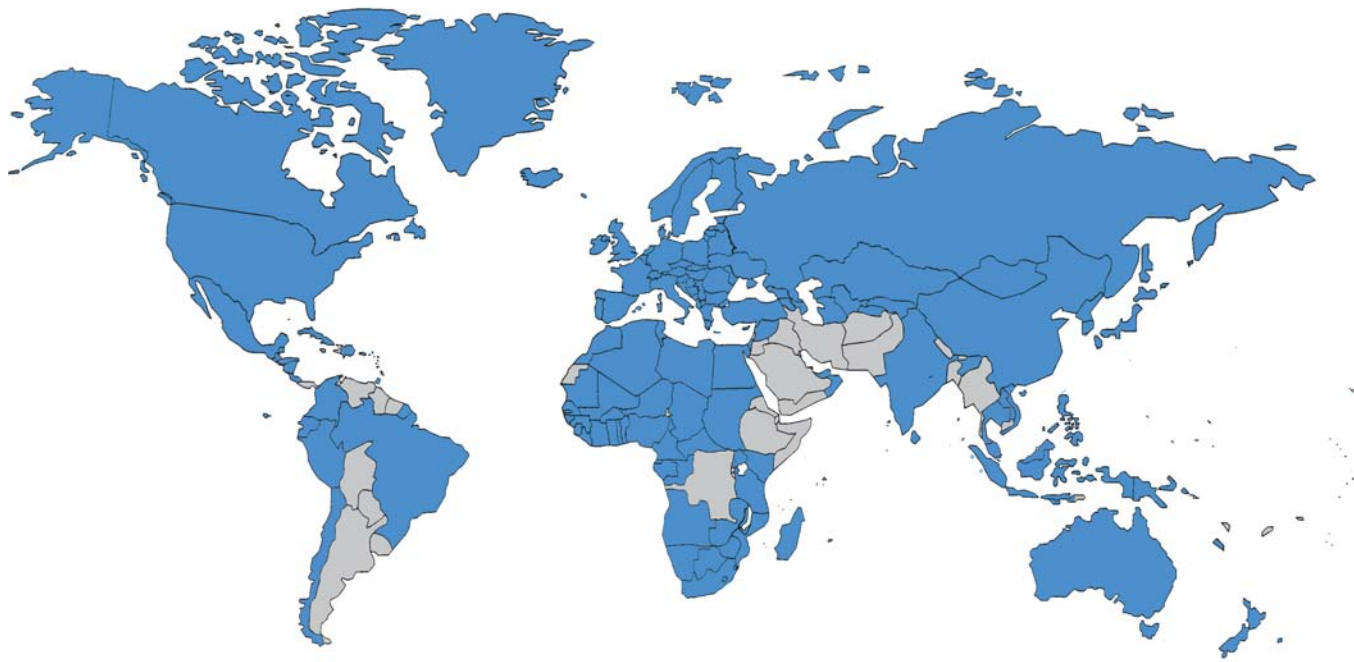
Table II — Preliminary examination fees
(amounts on 1 January 2010, unless otherwise indicated)

| IPEA | Preliminary examination fee ²⁸ | | Handling fee ^{2, 28} (CHF 200) | |
|------------------|---|---------------------|---|---------|
| AT ²¹ | EUR | 1,675 | EUR | 132 |
| AU | AUD | 550 | AUD | 224 |
| BR ²² | BRL | 710 | BRL | 353 |
| CA | CAD | 800 | CAD | 209 |
| CN | CNY | 1,500 | CNY eq CHF | 200 |
| EP ²³ | EUR | 1,675 | EUR | 132 |
| ES | EUR | 560.88 | EUR | 132 |
| FI | EUR | 550 | EUR | 132 |
| JP | JPY | 36,000 | JPY | 17,800 |
| KR | KRW | 450,000 | KRW | 236,000 |
| RU | RUB | 5,400 ³⁰ | USD | 195 |
| | | 8,100 ³¹ | | |
| SE | SEK | 5,000 | SEK | 1,330 |
| US | USD | 600 | USD | 195 |
| | | 750 ³² | | |
| XN | DKK | 5,000 | DKK | 980 |

Footnotes to fee tables:

- 1 Payable to the receiving Office in the currency or one of the currencies prescribed by it.
- 2 This fee is reduced by 90% where the applicant or, if there are two or more applicants, each applicant fulfills the criteria indicated on the PCT Resources page at: www.wipo.int/pct/en/fees/fee_reduction.pdf
- 3 Where the international application contains a sequence listing as a separate part of the description, this should preferably be furnished in accordance with Annex C, paragraph 40, of the Administrative Instructions under the PCT, that is, in compliance with WIPO Standard ST.25 text format; no additional fees are due for sequence listings filed in this format. Where, however, such sequence listings are filed in the form of an image file (e.g. PDF), fees are due for each page (see *PCT Newsletter* No. 06/2009, page 2 at: http://www.wipo.int/pct/en/newslett/2009/newslett_09.pdf).
- 4 For the search fee payable to the receiving Office, consult the entry in Table I(b) for the competent International Searching Authority.
- 5 If the international application is filed on paper together with a copy in electronic form, in character coded format, of the request and the abstract.
- 6 If the international application is filed in electronic form, the request not being in character coded format.
- 7 If the international application is filed in electronic form, the request being in character coded format.
- 8 If the international application is filed in electronic form, the request, description, claims and abstract being in character coded format.
- 9 The amounts are not yet known or, where known, are subject to periodical revision. The Office or the agent should be consulted for the latest applicable schedule of fees.
- 10 When calculating the USD equivalent amount in CLP, applicants should use the exchange rate fixed by the Central Bank of Chile on the day before the date of payment.
- 11 This fee is reduced by 80% where the applicant is a natural person.
- 12 The first amount of the transmittal fee is applicable to individuals or entities employing less than 25 persons. The second amount is applicable to entities employing 25 persons or more.
- 13 This fee is not payable in respect of international applications filed by applicants fulfilling the conditions indicated on the PCT Resources page at: www.wipo.int/pct/en/fees/fee_reduction.pdf
- 14 The competent International Searching Authority(ies) for an international application filed with the International Bureau as receiving Office is (are) the Authority(ies) which would have been competent if the international application had been filed with the receiving Office of, or acting for, the Contracting State of which the applicant (or any of the applicants) is a resident or national. See also *PCT Applicant's Guide*, Annex C (IB).
- 15 The Japan Patent Office is competent only for international applications in Japanese.
- 16 This fee is subject to value added tax (VAT). Applicants may consult the receiving Office or a registered patent attorney for the latest applicable VAT rate.
- 17 Plus EUR 1.50 for the preparation of additional copies, for each page and each copy.
- 18 Plus MYR 45 for each sheet in excess of 30.
- 19 Plus 12.5% GST (Goods and Services Tax) for New Zealand residents.
- 20 This fee is reduced by 95% where all applicants are also inventors and by 90% where all applicants are also non-profitable institutions and/or organizations. When the fee is payable with relation to an application made by both types of applicant, and all applicants are either also inventors, or non-profitable institutions and/or organizations, the fee is reduced by 90%.
- 21 The fee will be reduced by 75% where the applicant(s) meets certain criteria, yet to be established by the Austrian Patent Office. Further information will be published shortly on the website of the Austrian Patent Office.
- 22 This fee is reduced by 60% where the international application is filed by a natural person, a small or medium enterprise or an academic institution.
- 23 The search fee payable to the EPO and the Spanish Patent and Trademark Office, as well as the preliminary examination fee payable to the EPO, are reduced by 75% under certain conditions. For further information, see the relevant footnote in the *PCT Applicant's Guide*, Annexes D (EP and ES) and E (EP) at: <http://www.wipo.int/pct/guide/en/index.html>
- 24 For searches carried out in English.
- 25 For searches carried out in Korean.
- 26 This amount refers to the equivalent amount in Swiss francs, at the exchange rate of the Central Bank of the Russian Federation, applicable on the date of payment.
- 27 This fee applies where a declaration referred to in PCT Article 17(2)(a) has been made by the International Searching Authority because of subject matter referred to in PCT Rule 39.1(iv) (methods of treatment).
- 28 Payable to the International Preliminary Examining Authority in the currency or one of the currencies prescribed by it.
- 29 Payable when the international search report was not issued by the Australian Patent Office.
- 30 Payable when the international search report was established by the Federal Service for Intellectual Property, Patents and Trademarks (Russian Federation).
- 31 In all cases where footnote 30 does not apply.
- 32 Payable when the international search was not carried out by the United States Patent and Trademark Office (USPTO) (provided that the USPTO is a competent International Preliminary Examining Authority in the particular case—see *PCT Applicant's Guide*, Annex C (US)).

PCT Contracting States and Two-letter Codes (142 on 1 January 2010)



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|---|--|--|--|-------------------------------------|
| AE United Arab Emirates | CU Cuba | IS Iceland (EP) | MK The former Yugoslav Republic of Macedonia (EP) ⁴ | SI Slovenia (EP) ² |
| AG Antigua and Barbuda | CY Cyprus (EP) ² | IT Italy (EP) ² | ML Mali (OA) ² | SK Slovakia (EP) |
| AL Albania ¹ | CZ Czech Republic (EP) | JP Japan | MN Mongolia | SL Sierra Leone (AP) |
| AM Armenia (EA) | DE Germany (EP) | KE Kenya (AP) | MR Mauritania (OA) ² | SM San Marino (EP) ⁵ |
| AO Angola | DK Denmark (EP) | KG Kyrgyzstan (EA) | MT Malta (EP) ² | SN Senegal (OA) ² |
| AT Austria (EP) | DM Dominica | KM Comoros | MW Malawi (AP) | ST Sao Tome and Principe |
| AU Australia | DO Dominican Republic | KN Saint Kitts and Nevis | MX Mexico | SV El Salvador |
| AZ Azerbaijan (EA) | DZ Algeria | KP Democratic People's Republic of Korea | MY Malaysia | SY Syrian Arab Republic |
| BA Bosnia and Herzegovina ¹ | EC Ecuador | KR Republic of Korea | MZ Mozambique (AP) | SZ Swaziland (AP) ² |
| BB Barbados | EE Estonia (EP) | KZ Kazakhstan (EA) | NA Namibia (AP) | TD Chad (OA) ² |
| BE Belgium (EP) ² | EG Egypt | LA Lao People's Democratic Republic | NE Niger (OA) ² | TG Togo (OA) ² |
| BF Burkina Faso (OA) ² | ES Spain (EP) | LC Saint Lucia | NG Nigeria | TH Thailand |
| BG Bulgaria (EP) | FI Finland (EP) | LI Liechtenstein (EP) | NI Nicaragua | TJ Tajikistan (EA) |
| BH Bahrain | FR France (EP) ² | LK Sri Lanka | NL Netherlands (EP) ² | TM Turkmenistan (EA) |
| BJ Benin (OA) ² | GA Gabon (OA) ² | LR Liberia | NO Norway (EP) ³ | TN Tunisia |
| BR Brazil | GB United Kingdom (EP) | LS Lesotho (AP) | NZ New Zealand | TR Turkey (EP) |
| BW Botswana (AP) | GD Grenada | LT Lithuania (EP) | OM Oman | TT Trinidad and Tobago |
| BY Belarus (EA) | GE Georgia | LU Luxembourg (EP) | PE Peru | TZ United Republic of Tanzania (AP) |
| BZ Belize | GH Ghana (AP) | LV Latvia (EP) ² | PG Papua New Guinea | UA Ukraine |
| CA Canada | GM Gambia (AP) | LY Libyan Arab Jamahiriya | PH Philippines | UG Uganda (AP) |
| CF Central African Republic (OA) ² | GN Guinea (OA) ² | MA Morocco | PL Poland (EP) | US United States of America |
| CG Congo (OA) ² | GQ Equatorial Guinea (OA) ² | MC Monaco (EP) ² | PT Portugal (EP) | UZ Uzbekistan |
| CH Switzerland (EP) | GR Greece (EP) ² | MD Republic of Moldova (EA) | RO Romania (EP) | VC Saint Vincent and the Grenadines |
| CI Côte d'Ivoire (OA) ² | GT Guatemala | ME Montenegro | RS Serbia ¹ | VN Viet Nam |
| CL Chile | GW Guinea-Bissau (OA) ² | MG Madagascar | RU Russian Federation (EA) | ZA South Africa |
| CM Cameroon (OA) ² | HN Honduras | | SC Seychelles | ZM Zambia (AP) |
| CN China | HR Croatia (EP) ³ | | SD Sudan (AP) | ZW Zimbabwe (AP) |
| CO Colombia | HU Hungary (EP) | | SE Sweden (EP) | |
| CR Costa Rica | ID Indonesia | | SG Singapore | |
| | IE Ireland (EP) ² | | | |
| | IL Israel | | | |
| | IN India | | | |

1 Extension of European patent possible.

2 May only be designated for a regional patent (the "national route" via the PCT has been closed).

3 Only international applications filed on or after 1 January 2008 include the designation of this State for a European patent.

4 Only international applications filed on or after 1 January 2009 include the designation of this State for a European patent.

5 Only international applications filed on or after 1 July 2009 include the designation of this State for a European patent.

Where a State can be designated for a regional patent, the two-letter code for the regional patent concerned is indicated in parentheses (AP = ARIPO patent, EA = Eurasian patent, EP = European patent, OA = OAPI patent).

Important:

This list includes all States that have adhered to the PCT by the date shown in the heading. Any State indicated in **bold italics** has adhered to the PCT but will only become bound by the PCT on the date shown in parentheses; it will not be considered to have been designated in international applications filed before that date.

Note that even though the filing of a request constitutes under PCT Rule 4.9(a) the designation of all Contracting States bound by the PCT on the international filing date, for the grant of every kind of protection available and, where applicable, for the grant of both regional and national patents, applicants should always use the latest versions of the request form (PCT/RO/101) and demand form (PCT/IPEA/401) (the latest versions are dated January 2010) or, if filing the request using the PCT-EASY features of the PCT-SAFE software, the latest version of that software (which is available at: <http://www.wipo.int/pct-safe/en/>). The request and demand forms can be printed from the website, in editable PDF format, at: <http://www.wipo.int/pct/en/forms/>, or obtained from receiving Offices or the International Bureau, or, in the case of the demand form, also from International Preliminary Examining Authorities.