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DE LA PROPRIÉTÉ INTELLECTUELLE

المنظمة العالمية للملكية الفكرية

ВСЕМИРНАЯ ОРГАНИЗАЦИЯ
ИНТЕЛЛЕКТУАЛЬНОЙ СОБСТВЕННОСТИ

C. PCT 845
41/21.1

June 6, 2002

Madam,
Sir,

Modified Request Form (Form PCT/RO/101)

The Request Form has been modified to take into account:

- (i) the fact that, as from July 1, 2002, Bulgaria, the Czech Republic, Estonia and Slovakia can be designated also for the purposes of obtaining a European patent and not only for the purposes of obtaining a national patent;
- (ii) that utility models and patents of addition are available for the United Arab Emirates, and that utility models are available in Mozambique (in the previous version of the second sheet, the dotted lines next to the name of these two States were missing); and
- (iii) to include, in addition to countries party to the Paris Convention for the Protection of Industrial Property, a specific reference to Members of the World Trade Organization (WTO) in respect of priority claims based on earlier national applications (as provided in PCT Rule 4.10 and already detailed in the Notes to the Form).

These modifications concern Boxes Nos. V and VI of the Request Form and the Notes to the request form relating to Box No. V. The Notes to the request form relating to Box No. V have also been modified to take into account the fact that Poland can also be designated for a patent of addition.

/...

All the sheets of the Request Form, including the Notes to the request form, the Fee Calculation Sheet (annex to the Request Form) and the Notes thereto, are dated July 2002 (the date of issuance or of reprinting of the sheet).

Demand Form

The Demand Form itself and the Fee Calculation Sheet (annex to the Demand Form) have not been modified except for the date of reprinting on each sheet (July 2002).

The Notes to the demand form relating to the time of filing of the demand have been updated further to the modification, as from April 1, 2002, of the time limit under PCT Article 22(1).

All the sheets of the Demand Form, including the Notes to the demand form, the Fee Calculation Sheet and the Notes thereto, are dated July 2002 (the date of issuance or of reprinting of the sheet).

As from July 2002, only the updated versions of the Request and Demand Forms should be distributed to applicants.

Yours sincerely,



Francis Gurry
Assistant Director General

Enclosure: Part V of Annex A to the Administrative Instructions
Under the PCT
in the following language(s):
 English French

PCT FORMS

(Annex A to the Administrative Instructions Under the PCT)

PART V

Request and Demand Forms

(Applicable as from July 2002)

PCT

REQUEST

The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty.

For receiving Office use only

International Application No.

International Filing Date

Name of receiving Office and "PCT International Application"

Applicant's or agent's file reference
(if desired) (12 characters maximum)

Box No. I TITLE OF INVENTION	
Box No. II APPLICANT <input type="checkbox"/> This person is also inventor	
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)	Telephone No.
	Facsimile No.
	Teleprinter No.
	Applicant's registration No. with the Office
State (that is, country) of nationality:	State (that is, country) of residence:
This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> all designated States except the United States of America <input type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box	
Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)	
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)	This person is: <input type="checkbox"/> applicant only <input type="checkbox"/> applicant and inventor <input type="checkbox"/> inventor only (If this check-box is marked, do not fill in below.)
	Applicant's registration No. with the Office
State (that is, country) of nationality:	State (that is, country) of residence:
This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> all designated States except the United States of America <input type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box	
<input type="checkbox"/> Further applicants and/or (further) inventors are indicated on a continuation sheet.	
Box No. IV AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE	
The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as: <input type="checkbox"/> agent <input type="checkbox"/> common representative	
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)	Telephone No.
	Facsimile No.
	Teleprinter No.
	Agent's registration No. with the Office
<input type="checkbox"/> Address for correspondence: Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.	

Continuation of Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)

If none of the following sub-boxes is used, this sheet should not be included in the request.

Name and address: <i>(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)</i>	This person is: <input type="checkbox"/> applicant only <input type="checkbox"/> applicant and inventor <input type="checkbox"/> inventor only <i>(If this check-box is marked, do not fill in below.)</i>
Applicant's registration No. with the Office	

State <i>(that is, country)</i> of nationality:	State <i>(that is, country)</i> of residence:
-------------------------------------------------	-----------------------------------------------

This person is applicant for the purposes of:	<input type="checkbox"/> all designated States	<input type="checkbox"/> all designated States except the United States of America	<input type="checkbox"/> the United States of America only	<input type="checkbox"/> the States indicated in the Supplemental Box
-----------------------------------------------	------------------------------------------------	------------------------------------------------------------------------------------	------------------------------------------------------------	-----------------------------------------------------------------------

Name and address: <i>(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)</i>	This person is: <input type="checkbox"/> applicant only <input type="checkbox"/> applicant and inventor <input type="checkbox"/> inventor only <i>(If this check-box is marked, do not fill in below.)</i>
Applicant's registration No. with the Office	

State <i>(that is, country)</i> of nationality:	State <i>(that is, country)</i> of residence:
-------------------------------------------------	-----------------------------------------------

This person is applicant for the purposes of:	<input type="checkbox"/> all designated States	<input type="checkbox"/> all designated States except the United States of America	<input type="checkbox"/> the United States of America only	<input type="checkbox"/> the States indicated in the Supplemental Box
-----------------------------------------------	------------------------------------------------	------------------------------------------------------------------------------------	------------------------------------------------------------	-----------------------------------------------------------------------

Name and address: <i>(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)</i>	This person is: <input type="checkbox"/> applicant only <input type="checkbox"/> applicant and inventor <input type="checkbox"/> inventor only <i>(If this check-box is marked, do not fill in below.)</i>
Applicant's registration No. with the Office	

State <i>(that is, country)</i> of nationality:	State <i>(that is, country)</i> of residence:
-------------------------------------------------	-----------------------------------------------

This person is applicant for the purposes of:	<input type="checkbox"/> all designated States	<input type="checkbox"/> all designated States except the United States of America	<input type="checkbox"/> the United States of America only	<input type="checkbox"/> the States indicated in the Supplemental Box
-----------------------------------------------	------------------------------------------------	------------------------------------------------------------------------------------	------------------------------------------------------------	-----------------------------------------------------------------------

Name and address: <i>(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)</i>	This person is: <input type="checkbox"/> applicant only <input type="checkbox"/> applicant and inventor <input type="checkbox"/> inventor only <i>(If this check-box is marked, do not fill in below.)</i>
Applicant's registration No. with the Office	

State <i>(that is, country)</i> of nationality:	State <i>(that is, country)</i> of residence:
-------------------------------------------------	-----------------------------------------------

This person is applicant for the purposes of:	<input type="checkbox"/> all designated States	<input type="checkbox"/> all designated States except the United States of America	<input type="checkbox"/> the United States of America only	<input type="checkbox"/> the States indicated in the Supplemental Box
-----------------------------------------------	------------------------------------------------	------------------------------------------------------------------------------------	------------------------------------------------------------	-----------------------------------------------------------------------

<input type="checkbox"/> Further applicants and/or (further) inventors are indicated on another continuation sheet.

Box No. V DESIGNATION OF STATES *Mark the applicable check-boxes below; at least one must be marked.*

The following designations are hereby made under Rule 4.9(a):

Regional Patent

- AP ARIPO Patent:** **GH** Ghana, **GM** Gambia, **KE** Kenya, **LS** Lesotho, **MW** Malawi, **MZ** Mozambique, **SD** Sudan, **SL** Sierra Leone, **SZ** Swaziland, **TZ** United Republic of Tanzania, **UG** Uganda, **ZM** Zambia, **ZW** Zimbabwe, and any other State which is a Contracting State of the Harare Protocol and of the PCT (*if other kind of protection or treatment desired, specify on dotted line*)
- EA Eurasian Patent:** **AM** Armenia, **AZ** Azerbaijan, **BY** Belarus, **KG** Kyrgyzstan, **KZ** Kazakhstan, **MD** Republic of Moldova, **RU** Russian Federation, **TJ** Tajikistan, **TM** Turkmenistan, and any other State which is a Contracting State of the Eurasian Patent Convention and of the PCT
- EP European Patent:** **AT** Austria, **BE** Belgium, **BG** Bulgaria, **CH & LI** Switzerland and Liechtenstein, **CY** Cyprus, **CZ** Czech Republic, **DE** Germany, **DK** Denmark, **EE** Estonia, **ES** Spain, **FI** Finland, **FR** France, **GB** United Kingdom, **GR** Greece, **IE** Ireland, **IT** Italy, **LU** Luxembourg, **MC** Monaco, **NL** Netherlands, **PT** Portugal, **SE** Sweden, **SK** Slovakia, **TR** Turkey, and any other State which is a Contracting State of the European Patent Convention and of the PCT
- OA OAPI Patent:** **BF** Burkina Faso, **BJ** Benin, **CF** Central African Republic, **CG** Congo, **CI** Côte d'Ivoire, **CM** Cameroon, **GA** Gabon, **GN** Guinea, **GQ** Equatorial Guinea, **GW** Guinea-Bissau, **ML** Mali, **MR** Mauritania, **NE** Niger, **SN** Senegal, **TD** Chad, **TG** Togo, and any other State which is a member State of OAPI and a Contracting State of the PCT (*if other kind of protection or treatment desired, specify on dotted line*)

National Patent (*if other kind of protection or treatment desired, specify on dotted line*):

- | | | |
|---------------------------------------------------------------------------------|--------------------------------------------------------------------------|----------------------------------------------------------------------|
| <input type="checkbox"/> AE United Arab Emirates | <input type="checkbox"/> GM Gambia | <input type="checkbox"/> NZ New Zealand |
| <input type="checkbox"/> AG Antigua and Barbuda | <input type="checkbox"/> HR Croatia | <input type="checkbox"/> OM Oman |
| <input type="checkbox"/> AL Albania | <input type="checkbox"/> HU Hungary | <input type="checkbox"/> PH Philippines |
| <input type="checkbox"/> AM Armenia | <input type="checkbox"/> ID Indonesia | <input type="checkbox"/> PL Poland |
| <input type="checkbox"/> AT Austria | <input type="checkbox"/> IL Israel | <input type="checkbox"/> PT Portugal |
| <input type="checkbox"/> AU Australia | <input type="checkbox"/> IN India | <input type="checkbox"/> RO Romania |
| <input type="checkbox"/> AZ Azerbaijan | <input type="checkbox"/> IS Iceland | <input type="checkbox"/> RU Russian Federation |
| <input type="checkbox"/> BA Bosnia and Herzegovina | <input type="checkbox"/> JP Japan | |
| <input type="checkbox"/> BB Barbados | <input type="checkbox"/> KE Kenya | <input type="checkbox"/> SD Sudan |
| <input type="checkbox"/> BG Bulgaria | <input type="checkbox"/> KG Kyrgyzstan | <input type="checkbox"/> SE Sweden |
| <input type="checkbox"/> BR Brazil | <input type="checkbox"/> KP Democratic People's Republic | <input type="checkbox"/> SG Singapore |
| <input type="checkbox"/> BY Belarus | of Korea | <input type="checkbox"/> SI Slovenia |
| <input type="checkbox"/> BZ Belize | <input type="checkbox"/> KR Republic of Korea | <input type="checkbox"/> SK Slovakia |
| <input type="checkbox"/> CA Canada | <input type="checkbox"/> KZ Kazakhstan | <input type="checkbox"/> SL Sierra Leone |
| <input type="checkbox"/> CH & LI Switzerland and Liechtenstein | <input type="checkbox"/> LC Saint Lucia | <input type="checkbox"/> TJ Tajikistan |
| <input type="checkbox"/> CN China | <input type="checkbox"/> LK Sri Lanka | <input type="checkbox"/> TM Turkmenistan |
| <input type="checkbox"/> CO Colombia | <input type="checkbox"/> LR Liberia | <input type="checkbox"/> TN Tunisia |
| <input type="checkbox"/> CR Costa Rica | <input type="checkbox"/> LS Lesotho | <input type="checkbox"/> TR Turkey |
| <input type="checkbox"/> CU Cuba | <input type="checkbox"/> LT Lithuania | <input type="checkbox"/> TT Trinidad and Tobago |
| <input type="checkbox"/> CZ Czech Republic | <input type="checkbox"/> LU Luxembourg | |
| <input type="checkbox"/> DE Germany | <input type="checkbox"/> LV Latvia | <input type="checkbox"/> TZ United Republic of Tanzania |
| <input type="checkbox"/> DK Denmark | <input type="checkbox"/> MA Morocco | <input type="checkbox"/> UA Ukraine |
| <input type="checkbox"/> DM Dominica | <input type="checkbox"/> MD Republic of Moldova | <input type="checkbox"/> UG Uganda |
| <input type="checkbox"/> DZ Algeria | | <input type="checkbox"/> US United States of America |
| <input type="checkbox"/> EC Ecuador | <input type="checkbox"/> MG Madagascar | |
| <input type="checkbox"/> EE Estonia | <input type="checkbox"/> MK The former Yugoslav Republic of | <input type="checkbox"/> UZ Uzbekistan |
| <input type="checkbox"/> ES Spain | Macedonia | <input type="checkbox"/> VN Viet Nam |
| <input type="checkbox"/> FI Finland | <input type="checkbox"/> MN Mongolia | <input type="checkbox"/> YU Yugoslavia |
| <input type="checkbox"/> GB United Kingdom | <input type="checkbox"/> MW Malawi | <input type="checkbox"/> ZA South Africa |
| <input type="checkbox"/> GD Grenada | <input type="checkbox"/> MX Mexico | <input type="checkbox"/> ZM Zambia |
| <input type="checkbox"/> GE Georgia | <input type="checkbox"/> MZ Mozambique | <input type="checkbox"/> ZW Zimbabwe |
| <input type="checkbox"/> GH Ghana | <input type="checkbox"/> NO Norway | |

Check-boxes below reserved for designating States which have become party to the PCT after issuance of this sheet:

- | | | |
|--------------------------------|--------------------------------|--------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Precautionary Designation Statement: In addition to the designations made above, the applicant also makes under Rule 4.9(b) all other designations which would be permitted under the PCT except any designation(s) indicated in the Supplemental Box as being excluded from the scope of this statement. The applicant declares that those additional designations are subject to confirmation and that any designation which is not confirmed before the expiration of 15 months from the priority date is to be regarded as withdrawn by the applicant at the expiration of that time limit. (*Confirmation (including fees) must reach the receiving Office within the 15-month time limit.*)

Supplemental Box

If the Supplemental Box is not used, this sheet should not be included in the request.

1. *If, in any of the Boxes, except Boxes Nos. VIII(i) to (v) for which a special continuation box is provided, **the space is insufficient** to furnish all the information: in such case, write "Continuation of Box No...." (indicate the number of the Box) and furnish the information in the same manner as required according to the captions of the Box in which the space was insufficient, in particular:*
 - (i) ***if more than two persons are to be indicated as applicants and/or inventors** and no "continuation sheet" is available: in such case, write "Continuation of Box No. III" and indicate for each additional person the same type of information as required in Box No. III. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below;*
 - (ii) *if, in Box No. II or in any of the sub-boxes of Box No. III, the indication **"the States indicated in the Supplemental Box"** is checked: in such case, write "Continuation of Box No. II" or "Continuation of Box No. III" or "Continuation of Boxes No. II and No. III" (as the case may be), indicate the name of the applicant(s) involved and, next to (each) such name, the State(s) (and/or, where applicable, ARIPO, Eurasian, European or OAPI patent) for the purposes of which the named person is applicant;*
 - (iii) *if, in Box No. II or in any of the sub-boxes of Box No. III, **the inventor or the inventor/applicant is not inventor for the purposes of all designated States or for the purposes of the United States of America**: in such case, write "Continuation of Box No. II" or "Continuation of Box No. III" or "Continuation of Boxes No. II and No. III" (as the case may be), indicate the name of the inventor(s) and, next to (each) such name, the State(s) (and/or, where applicable, ARIPO, Eurasian, European or OAPI patent) for the purposes of which the named person is inventor;*
 - (iv) *if, in addition to the agent(s) indicated in Box No. IV, there are **further agents**: in such case, write "Continuation of Box No. IV" and indicate for each further agent the same type of information as required in Box No. IV;*
 - (v) *if, in Box No. V, the name of any State (or OAPI) is accompanied by the indication **"patent of addition,"** or **"certificate of addition,"** or if, in Box No. V, the name of the United States of America is accompanied by an indication **"continuation"** or **"continuation-in-part"**: in such case, write "Continuation of Box No. V" and the name of each State involved (or OAPI), and after the name of each such State (or OAPI), the number of the parent title or parent application and the date of grant of the parent title or filing of the parent application;*
 - (vi) *if, in Box No. VI, there are **more than five earlier applications whose priority is claimed**: in such case, write "Continuation of Box No. VI" and indicate for each additional earlier application the same type of information as required in Box No. VI.*
2. *If, with regard to the **precautionary designation statement** contained in Box No. V, the applicant wishes to exclude any State(s) from the scope of that statement: in such case, write "Designation(s) excluded from precautionary designation statement" and indicate the name or two-letter code of each State so excluded.*

Box No. VI PRIORITY CLAIM				
The priority of the following earlier application(s) is hereby claimed:				
Filing date of earlier application <i>(day/month/year)</i>	Number of earlier application	Where earlier application is:		
		national application: country or Member of WTO	regional application:* regional Office	international application: receiving Office
item (1)				
item (2)				
item (3)				
item (4)				
item (5)				
<input type="checkbox"/> Further priority claims are indicated in the Supplemental Box.				
The receiving Office is requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) <i>(only if the earlier application was filed with the Office which for the purposes of this international application is the receiving Office)</i> identified above as:				
<input type="checkbox"/> all items <input type="checkbox"/> item (1) <input type="checkbox"/> item (2) <input type="checkbox"/> item (3) <input type="checkbox"/> item (4) <input type="checkbox"/> item (5) <input type="checkbox"/> other, see Supplemental Box				
* Where the earlier application is an ARIPO application, indicate at least one country party to the Paris Convention for the Protection of Industrial Property or one Member of the World Trade Organization for which that earlier application was filed (Rule 4.10(b)(ii)):				
Box No. VII INTERNATIONAL SEARCHING AUTHORITY				
Choice of International Searching Authority (ISA) <i>(if two or more International Searching Authorities are competent to carry out the international search, indicate the Authority chosen; the two-letter code may be used):</i>				
ISA /				
Request to use results of earlier search; reference to that search <i>(if an earlier search has been carried out by or requested from the International Searching Authority):</i>				
Date <i>(day/month/year)</i>	Number	Country <i>(or regional Office)</i>		
Box No. VIII DECLARATIONS				
The following declarations are contained in Boxes Nos. VIII (i) to (v) <i>(mark the applicable check-boxes below and indicate in the right column the number of each type of declaration):</i>				Number of declarations
<input type="checkbox"/> Box No. VIII (i)	Declaration as to the identity of the inventor	:		
<input type="checkbox"/> Box No. VIII (ii)	Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent	:		
<input type="checkbox"/> Box No. VIII (iii)	Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application	:		
<input type="checkbox"/> Box No. VIII (iv)	Declaration of inventorship (only for the purposes of the designation of the United States of America)	:		
<input type="checkbox"/> Box No. VIII (v)	Declaration as to non-prejudicial disclosures or exceptions to lack of novelty	:		

Box No. VIII (i) DECLARATION: IDENTITY OF THE INVENTOR

The declaration must conform to the standardized wording provided for in Section 211; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (i). If this Box is not used, this sheet should not be included in the request.

Declaration as to the identity of the inventor (Rules 4.17(i) and 51bis.1(a)(i)):

This declaration is continued on the following sheet, "Continuation of Box No. VIII (i)".

Box No. VIII (ii) DECLARATION: ENTITLEMENT TO APPLY FOR AND BE GRANTED A PATENT

The declaration must conform to the standardized wording provided for in Section 212; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (ii). If this Box is not used, this sheet should not be included in the request.

Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)), in a case where the declaration under Rule 4.17(iv) is not appropriate:

This declaration is continued on the following sheet, "Continuation of Box No. VIII (ii)".

Box No. VIII (iii) DECLARATION: ENTITLEMENT TO CLAIM PRIORITY

The declaration must conform to the standardized wording provided for in Section 213; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iii). If this Box is not used, this sheet should not be included in the request.

Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)):

This declaration is continued on the following sheet, "Continuation of Box No. VIII (iii)".

Box No. VIII (iv) DECLARATION: INVENTORSHIP (only for the purposes of the designation of the United States of America)

The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.

**Declaration of inventorship (Rules 4.17(iv) and 51bis.1(a)(iv))
for the purposes of the designation of the United States of America:**

I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/..... (if furnishing declaration pursuant to Rule 26ter).

I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

Prior Applications:

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name:

Residence:
(city and either US state, if applicable, or country)

Mailing Address:

Citizenship:

Inventor's Signature:
(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date:
(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name:

Residence:
(city and either US state, if applicable, or country)

Mailing Address:

Citizenship:

Inventor's Signature:
(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date:
(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".

Box No. VIII (v) DECLARATION: NON-PREJUDICIAL DISCLOSURES OR EXCEPTIONS TO LACK OF NOVELTY

The declaration must conform to the standardized wording provided for in Section 215; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (v). If this Box is not used, this sheet should not be included in the request.

Declaration as to non-prejudicial disclosures or exceptions to lack of novelty (Rules 4.17(v) and 51bis.1(a)(v)):

This declaration is continued on the following sheet, "Continuation of Box No. VIII (v)".

Continuation of Box No. VIII (i) to (v) DECLARATION

*If the space is insufficient in any of Boxes Nos. VIII (i) to (v) to furnish all the information, including in the case where **more than two inventors are to be named** in Box No. VIII (iv), in such case, write "Continuation of Box No. VIII ..." (indicate the item number of the Box) and furnish the information in the same manner as required for the purposes of the Box in which the space was insufficient. If additional space is needed in respect of two or more declarations, a separate continuation box must be used for each such declaration. If this Box is not used, this sheet should not be included in the request.*

NOTES TO THE REQUEST FORM (PCT/RO/101)

These Notes are intended to facilitate the filling in of the request form. For more detailed information, see the *PCT Applicant's Guide*, a WIPO publication, which is available, together with other PCT related documents, at WIPO's Website: www.wipo.int/pct/en/index.html. The Notes are based on the requirements of the Patent Cooperation Treaty (PCT), the Regulations and the Administrative Instructions under the PCT. In case of any discrepancy between these Notes and those requirements, the latter are applicable.

In the request form and these Notes, "Article", "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

Please use a typewriter; check-boxes may be marked by hand with black ink (Rule 11.9(a) and (b)).

The request form and these Notes may be downloaded from WIPO's Website at the address given above.

WHERE TO FILE THE INTERNATIONAL APPLICATION

The international application (request, description, claims, abstract and drawings, if any) must be filed with a competent receiving Office (Article 11(1)(i))—that is, subject to any applicable prescriptions concerning national security, at the choice of the applicant, either:

(i) the receiving Office of, or acting for, a PCT Contracting State of which the applicant or, if there are two or more applicants, at least one of them, is a resident or national (Rule 19.1(a)(i) or (ii) or (b)), or

(ii) the International Bureau of WIPO in Geneva, Switzerland, if the applicant or, if there are two or more applicants, at least one of the applicants is a resident or national of any PCT Contracting State (Rule 19.1(a)(iii)).

APPLICANT'S OR AGENT'S FILE REFERENCE

A **file reference** may be indicated, if desired. It should not exceed 12 characters. Characters in excess of 12 may be disregarded by the receiving Office or any International Authority (Rule 11.6(f) and Section 109).

BOX No. I

Title of Invention (Rules 4.3 and 5.1(a)): The title must be short (preferably two to seven words when in English or translated into English) and precise. It must be identical with the title heading the description.

BOXES Nos. II AND III

General: At least one of the applicants named must be a resident or national of a PCT Contracting State for which the receiving Office acts (Articles 9 and 11(1)(i) and Rules 18 and 19). If the international application is filed with the International Bureau under Rule 19.1(a)(iii), at least one of the applicants must be a resident or national of any PCT Contracting State.

If the United States of America is designated, all of the inventors must be named also as applicants for the purposes of that designation (see "Different Applicants for Different Designated States", below).

Indication Whether a Person is Applicant and/or Inventor (Rules 4.5(a) and 4.6(a) and (b)):

Check-box "This person is also inventor" (Box No. II): Mark this check-box if the applicant named is also the inventor or one of the inventors; do not mark this check-box if the applicant is a legal entity.

Check-box "applicant and inventor" (Box No. III): Mark this check-box if the person named is both applicant and inventor; do not mark this check-box if the person is a legal entity.

Check-box "applicant only" (Box No. III): Mark this check-box if the person named is a legal entity or if the person named is not also inventor.

Check-box "inventor only" (Box No. III): Mark this check-box if the person named is inventor but not also applicant; do not mark this check-box if the person is a legal entity.

In Box No. III, one of the three check-boxes must always be marked for each person named.

A person must not be named more than once in Boxes Nos. II and III, even where that person is both applicant and inventor.

Names and Addresses (Rule 4.4): The family name (preferably in capital letters) must be indicated before the given name(s). Titles and academic degrees must be omitted. Names of legal entities must be indicated by their full official designations.

The address must be indicated in such a way that it allows prompt postal delivery; it must consist of all the relevant administrative units (up to and including the indication of the house number, if any), the postal code (if any), and the name of the country.

Only one address may be indicated per person. For the indication of a special "address for correspondence", see the notes to Box No. IV.

Telephone, Facsimile and/or Teleprinter Numbers should be indicated for the person named in Box No. II in order to allow rapid communication with the applicant. Any such number should include the applicable country and area codes.

Applicant's registration number with the Office (Rule 4.5(e)): Where the applicant is registered with the national or regional Office acting as receiving Office, the request may indicate the number or other indication under which the applicant is so registered.

Nationality (Rules 4.5(a) and (b) and 18.1): For each applicant, the nationality must be indicated by the name or two-letter code of the State (that is, country) of which the person is a national. A legal entity constituted according to the national law of a State is considered a national of that State. The indication of the nationality is not required where a person is inventor only.

Residence (Rules 4.5(a) and (c) and 18.1): For each applicant, the residence must be indicated by the name or two-letter code of the State (that is, country) of which the person is a resident. If the State of residence is not indicated, it will be assumed to be the same as the State indicated in the address. Possession of a real and effective industrial or commercial establishment in a State is considered residence in that State. The indication of the residence is not required where a person is inventor only.

Names of States (Section 115): For the indication of names of States, the two-letter codes appearing in WIPO Standard ST.3 and in the *PCT Applicant's Guide*, Volume I/B, Annex K, may be used.

Different Applicants for Different Designated States (Rules 4.5(d), 18.3 and 19.2): It is possible to indicate different applicants for the purposes of different designated States. At least one of all the applicants named must be a national or resident of a PCT Contracting State for which the receiving Office acts, irrespective of the designated State(s) for the purposes of which that applicant is named. *Where the United States of America is one of the designated States, all of the inventors must be named also as applicants for the United States of America and the check-boxes "This person is also inventor" (in Box No. II) and/or "applicant and inventor" (in Box No. III) must be marked.*

For the indication of the designated States for which a person is applicant, mark the applicable check-box (only one for each person). The check-box "the States indicated in the Supplemental Box" must be marked where none of the other three check-boxes fits the circumstances; in such a case, the name of the person must be repeated in the Supplemental Box with an indication of the States for which that person is applicant (see item 1(ii) in that Box).

Naming of Inventor (Rule 4.1(a)(v) and (c)(i)): The inventor's name and address must be indicated where the national law of at least one of the designated States requires that the name of the inventor be furnished at the time of filing; for details, see the *PCT Applicant's Guide*, Volume I/A, Annexes B1 and B2. It is strongly recommended to always name the inventor.

Different Inventors for Different Designated States (Rule 4.6(c)): Different persons may be indicated as inventors for different designated States (for example, where, in this respect, the requirements of the national laws of the designated States are not the same); in such a case, the Supplemental Box must be used (see item 1(iii) in that Box). In the absence of any indication, it will be assumed that the inventor(s) named is (are) inventor(s) for all designated States.

BOX No. IV

Who Can Act as Agent (Article 49 and Rule 83.1bis): For each of the receiving Offices, information as to who can act as agent is given in the *PCT Applicant's Guide*, Volume I/B, Annex C.

Agent or Common Representative (Rules 4.7, 4.8, 90.1 and 90.2 and Section 108): Mark the applicable check-box in order to indicate whether the person named is (or has been) appointed as "agent" or "common representative" (the "common representative" must be one of the applicants). For the manner in which name(s) and address(es) (including names of States) must be indicated, see the notes to Boxes Nos. II and III. Where several agents are listed, the agent to whom correspondence should be addressed is to be listed first. If there are two or more applicants but no common agent is appointed to represent all of them, one of the applicants who is a national or resident of a PCT Contracting State may be appointed by the other applicants as their common representative. If this is not done, the applicant first named in the request who is entitled to file an international application with the receiving Office concerned will automatically be considered to be the common representative.

Manner of Appointment of Agent or Common Representative (Rules 90.4 and 90.5 and Section 106): Any such appointment may be made by designating the agent(s) or the common representative in the request or in one or more separate powers of attorney. Each applicant must sign either the request or a separate power of attorney. Where the

international application is filed with reference to a general power of attorney, a copy thereof must be attached to the request. Any applicant who did not sign the general power of attorney must sign either the request or a separate power of attorney.

Agent's registration number with the Office (Rule 4.7(b)): Where the agent is registered with the national or regional Office that is acting as receiving Office, the request may indicate the number or other indication under which the agent is so registered.

Address for Correspondence (Rule 4.4(d) and Section 108): Where an agent is appointed, any correspondence intended for the applicant will be sent to the address indicated for that agent (or for the first-mentioned agent, if more than one is appointed). Where one of two or more applicants is appointed as common representative, the address indicated for that applicant in Box No. IV will be used.

Where no agent or common representative is appointed, any correspondence will be sent to the address, indicated in Box No. II or III, of the applicant (if only one person is named as applicant) or of the applicant who is considered to be common representative (if there are two or more persons named as applicants). However, if the applicant wishes correspondence to be sent to a different address in such a case, that address must be indicated in Box No. IV instead of the designation of an agent or common representative. In this case, and only in this case, the last check-box of Box No. IV must be marked (that is, the last check-box must not be marked if either of the check-boxes "agent" or "common representative" has been marked).

BOX No. V

Designation of States (Rules 4.1(a)(iv) and 4.9(a)): The Contracting States in which protection is desired must be designated under Rule 4.9(a) in the request by marking the applicable check-boxes. At least one check-box effecting a specific designation must be marked. *While the general rule is that designations cannot be added after the filing of the international application, it is possible to make a precautionary designation under Rule 4.9(b) covering all other designations which would, as at the international filing date, be permitted under the PCT (see "Precautionary Designation of States Subject to Confirmation", below).*

Where regional (ARIPO, Eurasian, European and/or OAPI) patents are desired, only one PCT designation fee must be paid for each regional designation made, independently of how many States are covered by each such designation.

AP ARIPO Patent: Note that **SZ Swaziland** can only be designated for the purposes of an ARIPO patent and not for the purposes of a national patent. All other PCT Contracting States which are also party to the Harare Protocol can be designated either for a national or an ARIPO patent, or both a national and an ARIPO patent.

EA Eurasian Patent: All PCT Contracting States which are also party to the Eurasian Patent Convention can be designated either for a national or a Eurasian patent, or both a national and a Eurasian patent. Note, however, that it is not possible to designate only some of these States for a Eurasian patent and that any designation of one or more States for a Eurasian patent will be treated as a designation of all the States which are party to both the Convention and the PCT for a Eurasian patent.

EP European Patent: Note that **BE Belgium, CY Cyprus, FR France, GR Greece, IE Ireland, IT Italy, MC Monaco and NL Netherlands** can only be designated for the purposes of a European patent and not for the purposes of a national patent. All other PCT Contracting States which are also party

to the European Patent Convention can be designated either for a national or a European patent, or both a national and a European patent.

If an ARIPO or a European patent is desired for only some of the Contracting States of the Harare Protocol or the European Patent Convention, respectively, the names of those States for which a regional patent is not desired may be deleted by striking them out. However, it is recommended that the applicant always designate for the purposes of a regional patent all PCT Contracting States which are also Contracting States of the Protocol or the Convention, respectively. A decision to proceed with only some of those designations need not be made until entry into the regional phase, at which stage the corresponding regional designation fees must be paid.

Where any of the Contracting States of the Harare Protocol, the Eurasian Patent Convention or the European Patent Convention and the PCT is designated twice, namely *both* for the purposes of an ARIPO, a Eurasian or a European patent *and* for the purposes of national protection, the applicant must pay one designation fee in respect of the regional patent and as many designation fees as there are national patents or other titles of protection sought (Rule 15.1(ii) and Section 210).

Extension of EP European Patent to Certain States: If it is intended, at the time of entry into the European regional phase, to request the extension of the subsequently granted European patent to AL Albania, LT Lithuania, LV Latvia, MK The former Yugoslav Republic of Macedonia, RO Romania and/or SI Slovenia (and/or to any other PCT Contracting State for which, on the date of filing of the international application, an extension agreement with the European Patent Organisation is in force), Box No. V must contain *both* a designation of the State concerned for the purposes of a national patent and *also* a designation, for the purposes of obtaining a European patent, of at least one PCT Contracting State party to the European Patent Convention.

SI Slovenia: The designation of Slovenia for a national patent has the effect, within the framework of the extension agreement between Slovenia and the European Patent Organisation (see preceding paragraph), of a designation for a European patent. The designation SI Slovenia without the designation EP European Patent will have no effect.

OA OAPI Patent: The designation of States members of OAPI and party to the PCT can only be made for the purposes of an OAPI patent (no national protection is available); furthermore, it is not possible to designate only some of them.

Choice of Certain Kinds of Protection or Treatment (Rules 4.12 to 4.14 and Section 202): Where, in any country where it is possible, a kind of protection other than a patent is desired, write the name or two-letter code of that country followed by the name of the title; that is, “petty patent” (available in YU Yugoslavia), “provisional patent” (available in AM Armenia, KG Kyrgyzstan, KZ Kazakhstan, TM Turkmenistan, UZ Uzbekistan), “utility model” (available in AE United Arab Emirates, AL Albania, AM Armenia, AP ARIPO, AT Austria, AZ Azerbaijan, BG Bulgaria, BR Brazil, BY Belarus, BZ Belize, CN China, CR Costa Rica, CZ Czech Republic, DE Germany, DK Denmark, EC Ecuador, EE Estonia, ES Spain, FI Finland, GE Georgia, HU Hungary, JP Japan, KE Kenya, KG Kyrgyzstan, KR Republic of Korea, KZ Kazakhstan, LS Lesotho, MD Republic of Moldova, MX Mexico, MZ Mozambique, PH Philippines, PL Poland, PT Portugal, RU Russian Federation, SK Slovakia, SL Sierra Leone, TJ Tajikistan, TR Turkey, UA Ukraine, UZ Uzbekistan, VN Viet Nam, OA OAPI), “consensual patent” (available in HR Croatia), “utility certificate” (available in GH Ghana, TT Trinidad and Tobago, UG Uganda) or “inventor’s certificate” (available in CU Cuba and KP Democratic People’s Republic of Korea). Where, in AP ARIPO, AT Austria, CZ Czech Republic, DE Germany, DK Denmark, EE Estonia, FI Finland or SK Slovakia (the only countries in which this possibility exists), in addition to a patent, a utility

model is also desired, write after the name of that country “and utility model”.

Where, in respect of any country where it is possible, it is desired that the international application be treated as an application for a certain title “of addition” or as an application for a “continuation” or a “continuation-in-part”, write after the name of that country the appropriate words; that is, “patent of addition” (available in AE United Arab Emirates, AT Austria, AU Australia, BA Bosnia and Herzegovina, CU Cuba, DE Germany, ES Spain, IL Israel, IN India, MK The former Yugoslav Republic of Macedonia, MW Malawi, NZ New Zealand, PL Poland, SI Slovenia, TR Turkey, YU Yugoslavia, ZA South Africa, ZW Zimbabwe), “certificate of addition” (available in BR Brazil, DZ Algeria, MA Morocco, MG Madagascar, OA OAPI), “inventor’s certificate of addition” (available in CU Cuba), “continuation” or “continuation-in-part” (both available in US United States of America). If any of these indications is used, also indicate in the Supplemental Box the State for which such treatment is desired, the number of the parent title or parent application, and the date of the grant of the parent title or the date of filing of the parent application, as the case may be (see item 1(v) in that Box).

If, in Box No. V, the check-boxes for making designations are marked with consecutive Arabic numerals, those indications will be taken to express the applicant’s *choice of the order of the designations*; if another form of marking is used, the order will be taken as that in which the marked check-boxes appear on the form. This order will only have any significance if the amount received for the designation fees is insufficient to cover all the designations and remains insufficient after the applicant has been invited to pay the balance due; in that case, the amount received will be applied in payment of the fees for the designations following the said order (Rule 16bis.1(c) and Section 321).

The check-boxes located towards the bottom of Box No. V are reserved for designating, for the purposes of a national patent, States which have become party to the PCT after the date appearing at the bottom of the second sheet of the request form; in such a case, the name of the State, preferably preceded by the two-letter code, must be indicated on the dotted line and the corresponding check-box must be marked (together with an indication, where applicable, whether a special kind of protection or treatment is desired).

Precautionary Designation of States Subject to Confirmation (Rules 4.9(b) and (c) and 15.5): For the applicant’s safeguard, the lower part of Box No. V contains a statement (“Precautionary Designation Statement”) indicating the applicant’s wish to make, as a matter of precaution, in addition to the specific designations made by marking the check-boxes in the upper part of Box No. V (at least one such designation must be made), a precautionary designation of all other PCT Contracting States which are not specifically designated.

If the applicant does not wish to avail himself of this safeguard and does not want to make any such precautionary designations, the statement must be crossed out.

If the applicant wishes to expressly exclude a certain State from such precautionary designation so that the international application does not have any effect in that State, the name or two-letter code of that State should be indicated in the Supplemental Box. In no other case is it necessary to make use of this possibility.

If, after filing the international application, the applicant notices that there are any omissions and/or mistakes in respect of the specific designations made, it will be possible to rectify the situation by confirming the precautionary designations concerned. The confirmation of any precautionary designation is possible before the expiration of 15 months from the (earliest) priority date indicated in Box No. VI or, where no

priority is claimed, the international filing date. To effect such confirmation, the applicant must file with the receiving Office a written notice specifying the name of each State the designation of which is confirmed (with, where applicable, an indication of the kind of treatment or protection desired) and pay to the receiving Office, for each such designation, a designation fee (even where five designation fees have already been paid) together with a confirmation fee corresponding to 50% of the designation fee.

The receiving Office will not send to the applicant any reminder or invitation to confirm precautionary designations.

If no precautionary designation is to be confirmed, no action is required by the applicant, and the precautionary designations will then be automatically regarded as withdrawn by the applicant at the expiration of 15 months from the priority date.

BOX No. VI

Priority Claim(s) (Rule 4.10): If the priority of an earlier application is claimed, the declaration containing the priority claim must be made in the request.

The request must indicate the *date* on which the earlier application from which priority is claimed was filed and the *number* it was assigned. Note that that date must fall within the period of 12 months preceding the international filing date.

Where the earlier application is a national application, the *country* party to the Paris Convention for the Protection of Industrial Property, or the *Member* of the World Trade Organization that is not a party to that Convention, in which that earlier application was filed must be indicated. Where the earlier application is a regional application, the *regional Office* concerned must be indicated. Where the earlier application is an international application, the *receiving Office* with which that earlier application was filed must be indicated.

Where the earlier application is a regional application (other than an ARIPO application), or an international application, the priority claim may also, if the applicant so wishes, indicate one or more countries party to the Paris Convention for which that earlier application was filed (Rule 4.10(b)(i)); such an indication is not, however, mandatory. Where the earlier application is an ARIPO application, at least one country party to the Paris Convention or one Member of the World Trade Organization for which that earlier application was filed must be indicated (Rule 4.10(b)(ii)).

As to the possibility of correcting or adding a priority claim, see Rule 26*bis* and the *PCT Applicant's Guide*, Volume I/A, General Part.

Certified Copy of Earlier Application (Rule 17.1): A certified copy of each earlier application the priority of which is claimed (priority document) must be submitted by the applicant, irrespective of whether that earlier application is a national, regional or international application. The priority document must be submitted to the receiving Office or to the International Bureau before the expiration of 16 months from the (earliest) priority date or, where an early start of the national phase is requested, not later than at the time such request is made. Any priority document received by the International Bureau after the expiration of the 16-month time limit but before the date of international publication shall be considered to have been received on the last day of that time limit (Rule 17.1(a)).

Where the priority document is issued by the receiving Office, the applicant may, instead of submitting the priority document, request the receiving Office (not later than 16 months after the priority date) to prepare and transmit the priority document to the International Bureau (Rule 4.1(c)(ii)). Such request may be made by marking the applicable check-boxes

which identify the respective documents. *Attention:* where such a request is made, the applicant must, where applicable, pay to the receiving Office the *fee for priority document*, otherwise, the request will be considered not to have been made (see Rule 17.1(b)).

Dates (Section 110): Dates must be indicated by the Arabic number of the day, the name of the month and the Arabic number of the year—in that order; after, below or above such indication, the date should be repeated in parentheses, using two-digit Arabic numerals for the number of the day, the number of the month and the last two digits of the year, in that order and separated by periods, slants or hyphens, for example, “20 March 2001 (20.03.01)”, “20 March 2001 (20/03/01)” or “20 March 2001 (20-03-01)”.

BOX No. VII

Choice of International Searching Authority (ISA) (Rules 4.1(b)(vi) and 4.14*bis*): If two or more International Searching Authorities are competent for carrying out the international search in relation to the international application—depending on the language in which that application is filed and the receiving Office with which it is filed—the name of the competent Authority chosen by the applicant must be indicated in the space provided, either by its full name or two-letter code.

Request to Use Results of Earlier Search; Reference to that Search (Rules 4.11 and 4.1): The earlier search, if any, must be identified in such a manner that the ISA can retrieve the results easily. Where those results can be used, the ISA may refund the international search fee or a portion thereof.

BOX No. VIII

Declarations Containing Standardized Wording (Rules 4.1(c)(iii) and 4.17): At the option of the applicant, the request may, for the purposes of the national law applicable in one or more designated States, contain one or more of the following declarations:

- (i) declaration as to the identity of the inventor;
- (ii) declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent;
- (iii) declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application;
- (iv) declaration of inventorship (only for the purposes of the designation of the United States of America);
- (v) declaration as to non-prejudicial disclosures or exceptions to lack of novelty;

which must conform to the standardized wording provided for in Sections 211 to 215, respectively, and which must be set forth in Boxes Nos. VIII (i) to (v), as detailed below. Where any such declarations are included, the appropriate check-boxes in Box No. VIII should be marked and the number of each type of declaration should be indicated in the right-hand column. As to the possibility of correcting or adding a declaration, see Rule 26*ter*, Section 216 and the *PCT Applicant's Guide*, Volume I/A, General Part.

If the circumstances of a particular case are such that the standardized wordings are not applicable, the applicant should not attempt to make use of the declarations provided for in Rule 4.17 but rather will have to comply with the national requirements concerned upon entry into the national phase.

The fact that a declaration is made under Rule 4.17 does not of itself establish the matters declared; the effect of those matters in the designated States concerned will be determined by the designated Offices in accordance with the applicable national law.

Even if the wording of a declaration does not conform to the standardized wording provided for in the Administrative Instructions pursuant to Rule 4.17, any designated Office may accept that declaration for the purposes of the applicable national law, but is not required to do so.

Details as to National Law Requirements: For information on the declarations required by each designated Office, see the *PCT Applicant's Guide*, Volume II, in the relevant National Chapter.

Effect in Designated Offices (Rule 51bis.2): Where the applicant submits any of the declarations provided for in Rule 4.17(i) to (iv) containing the required standardized wording (either with the international application, or to the International Bureau within the relevant time limit under Rule 26ter, or directly to the designated Office during the national phase), the designated Office may not, in the national phase, require further documents or evidence on the matter to which the declaration relates, unless that designated Office may reasonably doubt the veracity of the declaration concerned.

Incompatibility of Certain Items of Rule 51bis.2(a) with National Laws (Rule 51bis.2(c)): The designated Offices listed below have informed the International Bureau that the applicable national law is not compatible in respect of the following declarations provided in Rule 4.17(i), (ii) and (iii). Those designated Offices are therefore entitled to require further documents or evidence on the matters to which those declarations relate.

Declaration as to the identity of the inventor (Rules 4.17(i) and 51bis.1(a)(i)): The respective national laws of CH Switzerland, DK Denmark and SE Sweden are not compatible with Rule 51bis.2(a)(i).

Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)): The respective national laws of CA Canada, CH Switzerland, DK Denmark, HU Hungary and SE Sweden are not compatible with Rule 51bis.2(a)(ii).

Declaration as to the applicant's entitlement as at the international filing date, to claim the priority of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)): The respective national laws of CH Switzerland and DK Denmark are not compatible with Rule 51bis.2(a)(iii).

BOXES Nos. VIII (i) to (v) (IN GENERAL)

Different Declaration Boxes: There are six different declaration boxes in the pre-printed request form—one box for each of the five different types of declarations provided for in Rule 4.17 (Box No. VIII (i) to Box No. VIII (v)) and a continuation sheet (Continuation of Box No. VIII (i) to (v)) to be used in case any single declaration does not fit in the corresponding box. The title of each type of declaration which is found in the standardized wording provided for in the Administrative Instructions is pre-printed on the appropriate sheet of the request.

Separate Sheet for Each Declaration: Each declaration must start on a separate sheet of the request form in the appropriate Declaration Box.

Titles, Items, Item Numbers, Dotted Lines, Words in Parentheses and Words in Brackets: The prescribed standardized wording of the declarations includes titles, various items, item numbers, dotted lines, words in parentheses and words in brackets. Except for Box No. VIII (iv) which contains the pre-printed standardized wording, only those items which are applicable should be included in a declaration where necessary to support the statements in that declaration (that

is, omit those items which do not apply) and item numbers need not be included. Dotted lines indicate where information is required to be inserted. Words in parentheses are instructions to applicants as to the information which may be included in the declaration depending upon the factual circumstances. Words in brackets are optional and should appear in the declaration without the brackets if they apply; if they do not apply, they should be omitted together with the corresponding brackets.

Naming of Several Persons: More than one person may be named in a single declaration. In the alternative, with one exception, a separate declaration may be made for each person. With respect to the declaration of inventorship set forth in Box No. VIII (iv), which is applicable only for the purposes of the designation of the United States of America, all inventors must be indicated in a single declaration (see Notes to Box No. VIII (iv), below). The wording of declarations to be set forth in Boxes Nos. VIII (i), (ii), (iii) and (v) may be adapted from the singular to the plural as necessary.

Designated States to Which the Declarations Apply: Each declaration must indicate the designated States to which it applies. In this regard, the standardized wording of the declaration of inventorship (Box No. VIII (iv); see also Rule 4.17(iv) and Section 214) indicates in the title that it is for the purposes of the designation of the United States of America. The other declarations include prescribed wording to indicate whether the declaration is made for all designations or specific designations; one of these choices should always be included in the declaration. Where the declaration is for more than one person, the declaration may include separate statements indicating whether the declaration is made for all designations or specific designations with respect to each separate applicant. For example, this may be expected to occur where the request indicates different applicants for different States in accordance with Rule 4.5(d). However, in such a case, it is advisable to include a separate declaration for each person.

BOX No. VIII (i)

Declaration as to the Identity of the Inventor (Rule 4.17(i) and Section 211): The declaration must be worded as follows:

“Declaration as to the identity of the inventor (Rules 4.17(i) and 51bis.1(a)(i)):

in relation to [this] international application [No. PCT/...],

- (i) ... (*name*) of ... (*address*) is the inventor of the subject matter for which protection is sought by way of [the] [this] international application
- (ii) this declaration is made for the purposes of (*include as applicable*):
 - (a) all designations [except the designation of the United States of America]
 - (b) the following designations for national and/or regional patents: ...”

Such a declaration is not necessary in respect of any inventor who is indicated as such (either as inventor only or applicant and inventor) in Box No. II or No. III in accordance with Rule 4.5 or 4.6. However, where the inventor is indicated as applicant in Box No. II or No. III in accordance with Rule 4.5, a declaration as to the applicant's entitlement to apply for and be granted a patent (Rule 4.17(ii)) may be appropriate for the purposes of all designated States except the United States of America. Where indications regarding the inventor in accordance with Rule 4.5 or 4.6 are not included in Box No. II or No. III, this declaration may be combined with the prescribed wording of the declaration as to the applicant's entitlement to apply for and be granted a patent (Rule 4.17(ii)). For details on such a combined declaration, see Notes to Box No. VIII (ii), below. For details as to the declaration of inventorship for the purposes of the designation of the United States of America, see Notes to Box No. VIII (iv), below.

BOX No. VIII (ii)

Declaration as to the Applicant's Entitlement to Apply for and Be Granted a Patent (Rule 4.17(ii) and Section 212): The declaration must be worded as follows, with such inclusion, omission, repetition and re-ordering of the matters listed as items (i) to (viii) as is necessary to explain the applicant's entitlement:

"Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51*bis*.1(a)(ii)), in a case where the declaration under Rule 4.17(iv) is not appropriate:

in relation to [this] international application [No. PCT/...],

... (*name*) is entitled to apply for and be granted a patent by virtue of the following:

- (i) ... (*name*) of ... (*address*) is the inventor of the subject matter for which protection is sought by way of [the] [this] international application
- (ii) ... (*name*) [is] [was] entitled as employer of the inventor, ... (*inventor's name*)
- (iii) an agreement between ... (*name*) and ... (*name*), dated ...
- (iv) an assignment from ... (*name*) to ... (*name*), dated ...
- (v) consent from ... (*name*) in favor of ... (*name*), dated ...
- (vi) a court order issued by ... (*name of court*), effecting a transfer from ... (*name*) to ... (*name*), dated ...
- (vii) transfer of entitlement from ... (*name*) to ... (*name*) by way of ... (*specify kind of transfer*), dated ...
- (viii) the applicant's name changed from ... (*name*) to ... (*name*) on ... (*date*)
- (ix) this declaration is made for the purposes of (*include as applicable*):
 - (a) all designations [except the designation of the United States of America]
 - (b) the following designations for national and/or regional patents: ..."

Either (a) or (b) of item (ix) should always be included in the declaration. The remainder of the items may be incorporated as is necessary to explain the applicant's entitlement. **This declaration is only applicable to those events which have occurred prior to the international filing date.** The possible kinds of transfer of entitlement in item (vii) include merger, acquisition, inheritance, donation, etc. Where there has been a succession of transfers from the inventor, the order in which transfers are listed should follow the actual succession of transfers, and items may be included more than once, as necessary to explain the applicant's entitlement. Where the inventor is not indicated in Box No. II or No. III, this declaration may be presented as a combined declaration explaining the applicant's entitlement to apply for and be granted a patent and identifying the inventor. In such a case, the introductory phrase of the declaration must be as follows:

"Combined declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51*bis*.1(a)(ii)) and as to the identity of the inventor (Rules 4.17(i) and 51*bis*.1(a)(i)), in a case where the declaration under Rule 4.17(iv) is not appropriate:"

The remainder of the combined declaration must be worded as indicated in the preceding paragraphs.

For details as to the declaration as to the identity of the inventor, see the Notes to Box No. VIII (i), above.

BOX No. VIII (iii)

Declaration as to the Applicant's Entitlement to Claim Priority of the Earlier Application (Rule 4.17(iii) and Section 213): The declaration must be worded as follows, with such inclusion, omission, repetition and re-ordering of the matters listed as items (i) to (viii) as is necessary to explain the applicant's entitlement:

"Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51*bis*.1(a)(iii)):

in relation to [this] international application [No. PCT/...],

... (*name*) is entitled to claim priority of earlier application No. ... by virtue of the following:

- (i) the applicant is the inventor of the subject matter for which protection was sought by way of the earlier application
- (ii) ... (*name*) [is] [was] entitled as employer of the inventor, ... (*inventor's name*)
- (iii) an agreement between ... (*name*) and ... (*name*), dated ...
- (iv) an assignment from ... (*name*) to ... (*name*), dated ...
- (v) consent from ... (*name*) in favor of ... (*name*), dated ...
- (vi) a court order, issued by ... (*name of court*), effecting a transfer from ... (*name*) to ... (*name*), dated ...
- (vii) transfer of entitlement from ... (*name*) to ... (*name*) by way of ... (*specify kind of transfer*), dated ...
- (viii) the applicant's name changed from ... (*name*) to ... (*name*) on ... (*date*)
- (ix) this declaration is made for the purposes of (*include as applicable*):
 - (a) all designations
 - (b) the following designations for national and/or regional patents: ..."

Either (a) or (b) of item (ix) should always be included in the declaration. The remainder of the items may be incorporated as is necessary to explain the applicant's entitlement. **This declaration is only applicable to those events which have occurred prior to the international filing date.** In addition, this declaration is only applicable where the person or name of the applicant is different from that of the applicant who filed the earlier application from which priority is claimed. For example, this declaration may be applicable where only one applicant out of five is different from the applicants indicated in respect of an earlier application. The possible kinds of transfer of entitlement in item (vii) include merger, acquisition, inheritance, donation, etc. Where there has been a succession of transfers from the applicant in respect of the earlier application, the order in which transfers are listed should follow the actual succession of transfers, and items may be included more than once, as necessary to explain the applicant's entitlement.

BOX No. VIII (iv)

Declaration of Inventorship (Rule 4.17(iv) and Section 214): The standardized wording for the declaration is pre-printed in Box No. VIII (iv).

All inventors must be named in the declaration, even if they do not all sign the same (copy of) the declaration (Section 214(b)). Bibliographic data, such as address of

residence and citizenship, must be included for each inventor. Where the declaration is included in the request, the inventor(s) need not sign and date the declaration if they have signed in Box No. X of the request.

BOX No. VIII (v)

Declaration as to Non-prejudicial Disclosures or Exceptions to Lack of Novelty (Rule 4.17(v) and Section 215): The declaration must be worded as follows, with such inclusion, omission, repetition and re-ordering of the matters listed as items (i) to (iv) as is necessary:

“Declaration as to non-prejudicial disclosures or exceptions to lack of novelty (Rules 4.17(v) and 51*bis*.1(a)(v)):

in relation to [this] international application [No. PCT/...],

... (*name*) declares that the subject matter claimed in [the] [this] international application was disclosed as follows:

- (i) kind of disclosure (*include as applicable*):
 - (a) international exhibition
 - (b) publication
 - (c) abuse
 - (d) other: ... (*specify*)
- (ii) date of disclosure: ...
- (iii) title of disclosure (*if applicable*): ...
- (iv) place of disclosure (*if applicable*): ...
- (v) this declaration is made for the purposes of (*include as applicable*):
 - (a) all designations
 - (b) the following designations for national and/or regional patents: ...”

Either (a), (b), (c) or (d) of item (i) should always be included in the declaration. Item (ii) should also always be included in the declaration. Either (a) or (b) of item (v) should always be included in the declaration. Items (iii) and (iv) may be incorporated depending upon the circumstances.

BOX No. IX

Items Constituting the International Application: The number of sheets of the various parts of the international application must be given in the check list in Arabic numerals. Sheets containing any of Boxes Nos. VIII (i) to (v) must be counted as part of the request.

Where the application contains disclosure of one or more *nucleotide and/or amino acid sequences*, the applicant has the following three options.

First, the applicant may choose to file the sequence listing part *in paper form only*, in which case the number of sheets must be indicated under item (a) in the left column of Box No. IX (and therefore included in the total number of sheets), noting that, a copy of that sequence listing part, in computer readable form, may accompany the international application but only for the purposes of international search under Rule 13*ter*; in such a case, check-boxes Nos. 9 and 9(i) and, where applicable, 9(iii) must be marked in the right column of Box No. IX.

Second, the applicant may choose to file the sequence listing part *in computer readable form only*, under Section 801(a)(i), in which case check-box b(i) must be marked but the space for the number of sheets of the sequence listing part under item (a) must be left blank; the type and number of carriers must also be indicated on the dotted line under item (b); in addition, check-boxes Nos. 9, 9(ii) and, where applicable,

9(iii) must be marked if additional copies of the sequence listing in computer readable form are furnished.

Third, the applicant may choose to file the sequence listing part *both in computer readable form and in paper form* under Section 801(a)(ii), in which case check-box b(ii) must be marked and the number of sheets of that part in paper form must be indicated under item (a) (although that number of sheets will not be taken into account for calculation of the basic fee); the type and number of carriers must also be indicated on the dotted line under item (b); in addition, check-boxes Nos. 9, 9(ii) and, where applicable, 9(iii) must be marked if additional copies of the sequence listing in computer readable form are furnished.

Under all three options described above, the sequence listings must be presented as a separate part of the description (“sequence listing part of description”) in accordance with the standard contained in Annex C of the Administrative Instructions.

Items Accompanying the International Application:

Where the international application is accompanied by certain items, the applicable check-boxes must be marked, any applicable indication must be made on the dotted line after the applicable item, and the number of such items should be indicated at the end of the relevant line; detailed explanations are provided below only in respect of those items which so require.

Check-box No. 4: Mark this check-box where a copy of a general power of attorney is filed with the international application; where the general power of attorney has been deposited with the receiving Office, and that Office has accorded to it a reference number, that number may be indicated.

Check-box No. 5: Mark this check-box where a statement explaining the lack of signature of an inventor/applicant for the purposes of the United States of America is furnished together with the international application (see also Notes to Box No. X).

Check-box No. 7: Mark this check-box where a translation of the international application for the purposes of international search (Rule 12.3) is filed together with the international application and indicate the language of that translation.

Check-box No. 8: Mark this check-box where a filled-in Form PCT/RO/134 or any separate sheet containing indications concerning deposited microorganisms and/or other biological material is filed with the international application. If Form PCT/RO/134 or any sheet containing the said indications is included as one of the sheets of the description (as required by certain designated States (see the *PCT Applicant's Guide*, Volume I/B, Annex L)), do not mark this check-box (for further information, see Rule 13*bis* and Section 209).

Check-box No. 9: Where the international application contains a sequence listing part and a copy thereof in computer readable form is required by the ISA, the applicant may furnish the listing in computer readable form (together with the required statement) to the receiving Office with the international application, in which case check-boxes Nos. 9, 9(i) and, where applicable, 9(iii) must be marked. Where the applicant has chosen the second or third option mentioned above, and an additional copy or copies of the sequence listing part in computer readable form are required under Section 804, the applicant may furnish such additional copies together with the international application, in which case check-boxes Nos. 9, 9(ii) and, where applicable, 9(iii) must be marked. In all cases mentioned above, the applicant should indicate in the left column the type and number of diskettes, CD-ROMs, CD-Rs, or other data carriers furnished.

Language of Filing of the International Application (Rules 12.1(a) and 20.4(c) and (d)): With regard to the language in which the international application is filed, for the purposes of according an international filing date, it is, subject to the following sentence, sufficient that the description and the claims are in the language, or one of the languages, accepted by the receiving Office for the filing of international applications; that language should be indicated in that check-box (as regards the language of the abstract and any text matter in the drawings, see Rules 26.3ter(a) and (b); as regards the language of the request, see Rules 12.3(c) and 26.3ter(c) and (d)). Note that where the international application is filed with the United States Patent and Trademark Office as receiving Office, all elements of the international application (request, description, claims, abstract, text matter of drawings) must, for the purposes of according an international filing date, be in English except that the free text in any sequence listing part of the description, complying with the standard set out in Annex C of the Administrative Instructions, may be in a language other than English.

BOX No. X

Signature (Rules 4.1(d), 4.15 and 90): The signature must be that of the applicant (if there are several applicants, all must sign); however, the signature may be that of the agent, or the common representative, where a separate power of attorney appointing the agent or the common representative, respectively, or a copy of a general power of attorney already in the possession of the receiving Office, is furnished. If the power is not filed with the request, the receiving Office will invite the applicant to furnish it.

If the United States of America is designated and an inventor/applicant for that State refused to sign the request or could not be found or reached after diligent effort, a statement explaining the lack of signature may be furnished. It should be noted that this applies only where there are two or more applicants and the international application has been signed by at least one other applicant. The statement must satisfy the receiving Office. If such a statement is furnished with the international application, check-box No. 5 in Box No. IX should be marked.

SUPPLEMENTAL BOX

The cases in which the Supplemental Box may be used and the manner of making indications in it are explained in the left column of that Box.

GENERAL REMARKS

Language of Correspondence (Rule 92.2 and Section 104): Any letter from the applicant to the receiving Office must be in the language of filing of the international application provided that, where the international application is to be published in the language of a translation required under Rule 12.3, such letter should be in the language of that translation; however, the receiving Office may authorize the use of another language.

Any letter from the applicant to the International Bureau must be in the same language as the international application if that language is English or French; otherwise, it must be in English or French, at the choice of the applicant.

Any letter from the applicant to the ISA must be in the same language as the international application, provided that, where a translation of the international application for the purposes of international search has been transmitted under Rule 23.1(b), such letter is in the language of that translation. However, the ISA may authorize the use of another language.

Arrangement of Elements and Numbering of Sheets of the International Application (Rule 11.7 and Section 207): The elements of the international application must be placed in the following order: the request, the description (excluding the sequence listing part, if any), the claim(s), the abstract, the drawings (if any), the sequence listing part of the description (if any).

All sheets of the description (excluding the sequence listing part), claims and abstract must be numbered in consecutive Arabic numerals, which must be placed at the top or bottom of the sheet, in the middle, but not in the margin which must remain blank. The number of each sheet of the drawings must consist of two Arabic numerals separated by an oblique stroke, the first being the sheet number and the second being the total number of sheets of drawings (for example, 1/3, 2/3, 3/3). For numbering of the sheets of the sequence listing part of the description, see Section 207.

Indication of the Applicant's or Agent's File Reference on the sheets of the description (excluding the sequence listing part, if any), claim(s), abstract, drawings and sequence listing part of the description (Rule 11.6(f)): The file reference indicated on the request may also be indicated in the left-hand corner of the top margin, within 1.5 cm from the top of any sheet of the international application.

This sheet is not part of and does not count as a sheet of the international application.

PCT

FEE CALCULATION SHEET

Annex to the Request

For receiving Office use only

International Application No. _____

Date stamp of the receiving Office _____

Applicant's or agent's
file reference

Applicant

CALCULATION OF PRESCRIBED FEES

1. TRANSMITTAL FEE T

2. SEARCH FEE S

International search to be carried out by _____
(If two or more International Searching Authorities are competent to carry out the international search, indicate the name of the Authority which is chosen to carry out the international search.)

3. INTERNATIONAL FEE

Basic Fee

Where item (b) of Box No. IX applies, enter **Sub-total number of sheets** } _____
Where item (b) of Box No. IX does not apply, enter **Total number of sheets** }

b1 first 30 sheets b1

b2 _____ x _____ = b2
number of sheets in excess of 30 fee per sheet

b3 additional component (only if sequence listing part of description is filed in computer readable form under Section 801(a)(i), or both in that form and on paper, under Section 801(a)(ii):
400 x _____ = b3
fee per sheet

Add amounts entered at b1, b2 and b3 and enter total at B B

Designation Fees

The international application contains _____ designations.

_____ x _____ = D
number of designation fees payable (maximum 5) amount of designation fee

Add amounts entered at B and D and enter total at I I

(Applicants from certain States are entitled to a reduction of 75% of the international fee. Where the applicant is (or all applicants are) so entitled, the total to be entered at I is 25% of the sum of the amounts entered at B and D.)

4. FEE FOR PRIORITY DOCUMENT (if applicable) P

5. TOTAL FEES PAYABLE TOTAL
Add amounts entered at T, S, I and P, and enter total in the TOTAL box

The designation fees are not paid at this time.

MODE OF PAYMENT

- authorization to charge deposit account (see below) postal money order cash coupons
- cheque bank draft revenue stamps other (specify): _____

AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT ACCOUNT

(This mode of payment may not be available at all receiving Offices)

- Authorization to charge the total fees indicated above.
- (This check-box may be marked only if the conditions for deposit accounts of the receiving Office so permit) Authorization to charge any deficiency or credit any overpayment in the total fees indicated above.
- Authorization to charge the fee for priority document.

Receiving Office: RO/ _____

Deposit Account No.: _____

Date: _____

Name: _____

Signature: _____

NOTES TO THE FEE CALCULATION SHEET (ANNEX TO FORM PCT/RO/101)

The purpose of the fee calculation sheet is to help the applicant to identify the prescribed fees and to calculate the amounts to be paid. It is strongly recommended that the applicant complete the sheet by entering the appropriate amounts in the boxes provided and submit the fee calculation sheet at the time of filing the international application. This will help the receiving Office to verify the calculations and to identify any error in them.

Information about the applicable fees payable can be obtained from the receiving Office. The amounts of the international and search fees may change due to currency fluctuations. Applicants are advised to check what are the latest applicable amounts. All fees, except in some cases the designation fee, must be paid within one month from the date of receipt of the international application. See below for further details concerning the possibility of later payment of the designation fee.

CALCULATION OF PRESCRIBED FEES

Box T: Transmittal Fee for the benefit of the receiving Office (Rule 14.1): The amount of the transmittal fee, if any, is fixed by the receiving Office. It must be paid within one month from the date of receipt of the international application by the receiving Office. Information about this fee is contained in the *PCT Applicant's Guide*, Volume I/B, Annex C.

Box S: Search Fee for the benefit of the International Searching Authority (ISA) (Rule 16.1): The amount of the search fee is fixed by the ISA. It must be paid within one month from the date of receipt of the international application by the receiving Office. Information about this fee is contained in the *PCT Applicant's Guide*, Volume I/B, Annex D.

Where two or more ISAs are competent, the applicant must indicate his choice in the space provided for this purpose and pay the amount of the international search fee fixed by the ISA chosen. Information on the competent ISA and whether the applicant has a choice between two or more ISAs is contained in the *PCT Applicant's Guide*, Volume I/B, Annex C.

Box I: International Fee for the benefit of the International Bureau (Rule 15): The international fee consists of a basic fee and as many designation fees as there are specific designations under Rule 4.9(a) in Box No. V of the request. The amounts of the basic fee and of the designation fee are as set out in Swiss francs in the Schedule of Fees and the applicable amounts of those fees in other currencies are as published in the *PCT Gazette* (Rule 15.2). Information about those fees is also contained in the *PCT Applicant's Guide*, Volume I/B, Annex C.

Reduction of the International Fee Where PCT-EASY Software Is Used: A fee reduction of 200 Swiss francs (or the equivalent in the currency in which the international fee is paid to the receiving Office) is available in certain cases where the PCT-EASY software is used to prepare the request, provided that the necessary conditions are met. For further details, see the *PCT Applicant's Guide*, Volume I/A, General Part, and Volume I/B, Annex C, as well as information published in the *PCT Gazette* and the *PCT Newsletter*. Since applicants using the PCT-EASY software will file the Request Form and Fee Calculation Sheet in the form of a printout prepared using that software, no provision is made for this fee reduction in the Fee Calculation Sheet annexed to Form PCT/RO/101.

Reduction of the International Fee for Applicants from Certain States: An applicant who is a natural person and who is a national of and resides in a State whose per capita national income is below 3,000 US dollars (according to the average per capita national income figures used by the United Nations for determining its scale of assessments for the contributions payable for the years 1995, 1996 and 1997) is entitled, in accordance with the Schedule of Fees, to a reduction of 75% of certain PCT fees including the international fee. If there are several applicants, each must satisfy the above-mentioned criteria. The reduction of the international fee (basic fee and designation fees) is automatically available to any applicant

(or applicants) who is (or are) so entitled on the basis of the indications of name, nationality and residence given in Boxes Nos. II and III of the request.

The fee reduction is available even if one or more of the applicants are not from PCT Contracting States, provided that each of them is a national and resident of a State that meets the above-mentioned requirements and that at least one of the applicants is a national or resident of a PCT Contracting State and thus is entitled to file an international application.

Natural persons who are nationals of and reside in the following PCT Contracting States are eligible: AL Albania, AM Armenia, AZ Azerbaijan, BA Bosnia and Herzegovina, BF Burkina Faso, BG Bulgaria, BJ Benin, BR Brazil, BY Belarus, BZ Belize, CF Central African Republic, CG Congo, CI Côte d'Ivoire, CM Cameroon, CN China, CO Colombia, CR Costa Rica, CU Cuba, CZ Czech Republic, DM Dominica, DZ Algeria, EC Ecuador, EE Estonia, GA Gabon, GD Grenada, GE Georgia, GH Ghana, GM Gambia, GN Guinea, GQ Equatorial Guinea, GW Guinea-Bissau, HR Croatia, HU Hungary, ID Indonesia, IN India, KE Kenya, KG Kyrgyzstan, KP Democratic People's Republic of Korea, KZ Kazakhstan, LC Saint Lucia, LK Sri Lanka, LR Liberia, LS Lesotho, LT Lithuania, LV Latvia, MA Morocco, MD Republic of Moldova, MG Madagascar, MK The former Yugoslav Republic of Macedonia, ML Mali, MN Mongolia, MR Mauritania, MW Malawi, MX Mexico, MZ Mozambique, NE Niger, PH Philippines, PL Poland, RO Romania, RU Russian Federation, SD Sudan, SK Slovakia, SL Sierra Leone, SN Senegal, SZ Swaziland, TD Chad, TG Togo, TJ Tajikistan, TM Turkmenistan, TN Tunisia, TR Turkey, TZ United Republic of Tanzania, UA Ukraine, UG Uganda, UZ Uzbekistan, VN Viet Nam, YU Yugoslavia, ZA South Africa, ZM Zambia and ZW Zimbabwe. As far as other States are concerned, inquiries should be addressed to the International Bureau.

Calculation of the International Fee (Basic Fee and Designation Fees) in Case of Fee Reduction: Where the applicant is (or all applicants are) entitled to a reduction of the international fee, the total to be entered at box I is 25% of the sum of the amounts entered at boxes B and D (see below).

Box B: Basic Fee. The amount of the basic fee depends on the number of sheets of the international application indicated under item (a) of Box No. IX of the request as explained below.

That number is the **Total number of sheets** where item (b) of Box No. IX of the request does not apply (that is, where the international application either does not contain a sequence listing part or where it contains such a part but not filed in computer readable form under Section 801(a)(i) or (ii)), in such a case, item "b3" must not be filled in.

Otherwise, where item (b) of Box No. IX of the request applies (that is, where the international application contains a sequence listing part which is filed in computer readable form

only, under Section 801(a)(i), or both in that form and in paper form under Section 801(a)(ii)), the number of sheets to be used for the purpose of calculating the amount of the basic fee is the **Sub-total number of sheets**. In such a case, item "b3" must be filled in on the basis that the sequence listing part in computer readable form is considered to be equal to 400 sheets (see Section 803).

The basic fee must be paid within one month from the date of receipt of the international application by the receiving Office.

Box D: Designation Fees. Subject to what is said below, the number of designation fees due corresponds to the number of check-boxes marked in Box No. V of the request.

The number of designation fees which are due is the same as the number of national patents and regional patents in respect of which specific designations under Rule 4.9(a) are made. Only one designation fee is due for the designation AP, the designation EA, the designation EP or the designation OA, irrespective of the number of States for which an ARIPO patent, a Eurasian patent, a European patent or an OAPI patent, respectively, is sought.

Where any States are designated twice (once for the purposes of an ARIPO patent, a Eurasian patent or a European patent and once for the purposes of national protection), the applicant must pay one designation fee in respect of the ARIPO patent, the Eurasian patent or the European patent and a further designation fee in respect of each national patent or other kind of protection sought (Rule 15.1(ii) and Section 210).

Any designation, in excess of five designations for which the fee is due, is free of charge. Therefore, the maximum amount to be indicated in box D is five times the amount of the designation fee. If, for example, 15 national patents and four regional patents (an ARIPO patent, a Eurasian patent, a European patent and an OAPI patent) are sought (totalling 19 designations), the figure to be indicated in box D is five times the amount of the designation fee.

The designation fees must be paid within one month from

the date of receipt of the international application by the receiving Office or one year from the priority date, whichever time limit expires later.

Box P: Fee for Priority Document (Rule 17.1(b)): Where the applicant has requested, by marking the applicable check-box in Box No. VI of the request, that the receiving Office prepare and transmit to the International Bureau a certified copy of the earlier application the priority of which is claimed, the amount of the fee prescribed by the receiving Office for such service may be entered (for information, see the *PCT Applicant's Guide*, Volume I/B, Annex C).

If that fee is not paid at the latest before the expiration of 16 months from the priority date, the receiving Office may consider the request under Rule 17.1(b) as not having been made.

Total Box: The total of the amounts entered in boxes T, S, I and P should be entered in this box. If the applicant so wishes, the currency in which the fees are paid may be indicated next to or in the total box.

Later Payment of Designation Fees: Where the time limit of one year from the priority date expires later than one month from the date of receipt of the international application by the receiving Office, and the applicant wishes to delay the payment of the designation fees, it is recommended that the corresponding check-box be marked.

MODE OF PAYMENT

In order to help the receiving Office identify the mode of payment of the prescribed fees, it is recommended that the applicable check-box(es) be marked.

AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT ACCOUNT

The receiving Office will not charge (or credit) fees to deposit accounts unless the deposit account authorization is signed and indicates the deposit account number.

The demand must be filed directly with the competent International Preliminary Examining Authority or, if two or more Authorities are competent, with the one chosen by the applicant. The full name or two-letter code of that Authority may be indicated by the applicant on the line below:

IPEA/ _____

PCT

CHAPTER II

DEMAND

under Article 31 of the Patent Cooperation Treaty:
 The undersigned requests that the international application specified below be the subject of international preliminary examination according to the Patent Cooperation Treaty and hereby elects all eligible States (except where otherwise indicated).

For International Preliminary Examining Authority use only

Identification of IPEA		Date of receipt of DEMAND
Box No. I IDENTIFICATION OF THE INTERNATIONAL APPLICATION		Applicant's or agent's file reference
International application No.	International filing date (<i>day/month/year</i>)	(Earliest) Priority date (<i>day/month/year</i>)
Title of invention		
Box No. II APPLICANT(S)		
Name and address: (<i>Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.</i>)		Telephone No.
		Facsimile No.
		Teleprinter No.
		Applicant's registration No. with the Office
State (<i>that is, country</i>) of nationality:		State (<i>that is, country</i>) of residence:
Name and address: (<i>Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.</i>)		
State (<i>that is, country</i>) of nationality:		State (<i>that is, country</i>) of residence:
Name and address: (<i>Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.</i>)		
State (<i>that is, country</i>) of nationality:		State (<i>that is, country</i>) of residence:
<input type="checkbox"/> Further applicants are indicated on a continuation sheet.		

Continuation of Box No. II APPLICANT(S)

If none of the following sub-boxes is used, this sheet should not be included in the demand.

Name and address: *(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)*

State *(that is, country)* of nationality:

State *(that is, country)* of residence:

Name and address: *(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)*

State *(that is, country)* of nationality:

State *(that is, country)* of residence:

Name and address: *(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)*

State *(that is, country)* of nationality:

State *(that is, country)* of residence:

Name and address: *(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)*

State *(that is, country)* of nationality:

State *(that is, country)* of residence:

Further applicants are indicated on another continuation sheet.

Box No. III AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE

The following person is agent common representative
 and has been appointed earlier and represents the applicant(s) also for international preliminary examination.
 is hereby appointed and any earlier appointment of (an) agent(s)/common representative is hereby revoked.
 is hereby appointed, specifically for the procedure before the International Preliminary Examining Authority, in addition to the agent(s)/common representative appointed earlier.

Name and address: <i>(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)</i>	Telephone No.
	Facsimile No.
	Teleprinter No.
	Agent's registration No. with the Office

Address for correspondence: Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.

Box No. IV BASIS FOR INTERNATIONAL PRELIMINARY EXAMINATION

Statement concerning amendments:*

- The applicant wishes the international preliminary examination **to start on the basis of:**
 - the international application as originally filed
 - the description as originally filed
 as amended under Article 34
 - the claims as originally filed
 as amended under Article 19 (together with any accompanying statement)
 as amended under Article 34
 - the drawings as originally filed
 as amended under Article 34
- The applicant wishes any amendment to the claims under Article 19 to be considered as reversed.
- The applicant wishes the start of the international preliminary examination **to be postponed** until the expiration of 20 months from the priority date unless the International Preliminary Examining Authority receives a copy of any amendments made under Article 19 or a notice from the applicant that he does not wish to make such amendments (Rule 69.1(d)). *(This check-box may be marked only where the time limit under Article 19 has not yet expired.)*

* Where no check-box is marked, international preliminary examination will start on the basis of the international application as originally filed or, where a copy of amendments to the claims under Article 19 and/or amendments of the international application under Article 34 are received by the International Preliminary Examining Authority before it has begun to draw up a written opinion or the international preliminary examination report, as so amended.

Language for the purposes of international preliminary examination:

- which is the language in which the international application was filed.
- which is the language of a translation furnished for the purposes of international search.
- which is the language of publication of the international application.
- which is the language of the translation (to be) furnished for the purposes of international preliminary examination.

Box No. V ELECTION OF STATES

The applicant hereby **elects all eligible States** (that is, all States which have been designated and which are bound by Chapter II of the PCT)
 excluding the following States which the applicant wishes **not to elect:**

Box No. VI CHECK LIST

The demand is accompanied by the following elements, in the language referred to in Box No. IV, for the purposes of international preliminary examination:

- | | | |
|--------------------------------------------------------------------------|---|--------|
| 1. translation of international application | : | sheets |
| 2. amendments under Article 34 | : | sheets |
| 3. copy (or, where required, translation) of amendments under Article 19 | : | sheets |
| 4. copy (or, where required, translation) of statement under Article 19 | : | sheets |
| 5. letter | : | sheets |
| 6. other (<i>specify</i>) | : | sheets |

For International Preliminary Examining Authority use only

received not received

<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

The demand is also accompanied by the item(s) marked below:

- | | |
|------------------------------------------------------------------------------------------|------------------------------------------------------------------------|
| 1. <input type="checkbox"/> fee calculation sheet | 5. <input type="checkbox"/> statement explaining lack of signature |
| 2. <input type="checkbox"/> original separate power of attorney | 6. <input type="checkbox"/> sequence listing in computer readable form |
| 3. <input type="checkbox"/> original general power of attorney | 7. <input type="checkbox"/> other (<i>specify</i>): |
| 4. <input type="checkbox"/> copy of general power of attorney; reference number, if any: | |

Box No. VII SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE

Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading the demand).

For International Preliminary Examining Authority use only

1. Date of actual receipt of DEMAND:

2. Adjusted date of receipt of demand due to CORRECTIONS under Rule 60.1(b):

3. The date of receipt of the demand is AFTER the expiration of 19 months from the priority date and item 4 or 5, below, does not apply. The applicant has been informed accordingly.

4. The date of receipt of the demand is WITHIN the period of 19 months from the priority date as extended by virtue of Rule 80.5.

5. Although the date of receipt of the demand is after the expiration of 19 months from the priority date, the delay in arrival is EXCUSED pursuant to Rule 82.

For International Bureau use only

Demand received from IPEA on:

NOTES TO THE DEMAND FORM (PCT/IPEA/401)

These Notes are intended to facilitate the filling in of the demand form and to give some information concerning international preliminary examination under Chapter II of the Patent Cooperation Treaty (PCT). For more detailed information, see the *PCT Applicant's Guide*, a WIPO publication, which is available, together with other PCT related documents, at WIPO's Website: www.wipo.int/pct/en/index.html. The Notes are based on the requirements of the PCT, the Regulations and the Administrative Instructions under the PCT. In case of any discrepancy between these Notes and those requirements, the latter are applicable.

In the demand form and these Notes, "Article", "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the Administrative Instructions, respectively.

Please use a typewriter; check-boxes may be marked by hand with dark ink (Rules 11.9(a) and (b) and 11.14).

The demand form and these Notes may be downloaded from WIPO's Website at the address given above.

IMPORTANT GENERAL INFORMATION

Who May File a Demand? (Article 31(2)(a) and Rule 54): A demand (for international preliminary examination) may only be filed by an applicant who is a national or resident of a PCT Contracting State which is bound by Chapter II of the PCT; furthermore, the international application must have been filed with a receiving Office of, or acting for, a State bound by Chapter II. Where there are two or more applicants (for the same or different elected States) at least one of them must qualify.

Where Must the Demand Be Filed? (Article 31(6)(a)): The demand must be filed with a competent International Preliminary Examining Authority (IPEA). The receiving Office with which the international application was filed will, upon request, give information about the competent IPEA (or see the *PCT Applicant's Guide*, Volume I/B, Annex C). If several IPEAs are competent, the applicant has the choice and the demand must be filed with (and the fees must be paid to) the IPEA chosen by the applicant. The IPEA chosen by the applicant may be identified, preferably by an indication of the name or two-letter code of the IPEA, at the top of the first sheet of the demand in the space provided for that purpose.

When Must the Demand Be Filed? (Article 39(1)): The demand must be filed within 19 months from the priority date, but **only in respect of some designated Offices**, if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later); otherwise, the applicant must, within 20 months from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices. **In respect of other designated Offices, the time limit of 30 months (in some Offices even later) will apply** even if no demand is filed within 19 months. See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters.

In Which Language Must the Demand Be Filed? (Rule 55.1): The demand must be filed in the language in which international preliminary examination will be carried out (see Notes to Box No. IV).

What is the Language of Correspondence? (Rules 66.9 and 92.2 and Section 104): Any letter from the applicant to the IPEA must be in the same language as the international application to which it relates. However, where the international preliminary examination will be carried out on the basis of a translation (see Notes to Box No. IV), any letter from the applicant to the IPEA must be in the language of the translation. The IPEA may authorize the use of other languages for letters which do not contain or relate to amendments of the international application. Any letter from the applicant to the International Bureau must be in English or French, at the choice of the applicant. However, if the language of the international

application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

Which Fees Must Be Paid and When? (Rules 57 and 58): Two fees are due in respect of the international preliminary examination: the preliminary examination fee and the handling fee. Both fees must be paid to the IPEA within one month from the date on which the demand is submitted. The Fee Calculation Sheet should be used for that purpose. For details concerning the payment of the fees, see the Notes to that Sheet.

BOX No. I

Applicant's or Agent's File Reference: A file reference may be indicated, if desired. It should not exceed 12 characters. Characters in excess of 12 may be disregarded (Section 109).

Identification of the International Application (Rule 53.6): The international application number must be indicated in Box No. I. Where the demand is filed at a time when the international application number has not yet been notified by the receiving Office, the name of that Office must be indicated instead of the international application number.

International Filing Date and (Earliest) Priority Date (Section 110): Dates must be indicated by the Arabic number of the day, the name of the month and the Arabic number of the year—in that order; after, below or above such indication, the date should be repeated in parentheses, using two-digit Arabic numerals for each of the number of the day, the number of the month and the last two digits of the year, in that order, and separated by periods, slants or hyphens, for example, "20 March 2001 (20.03.01)", "20 March 2001 (20/03/01)" or "20 March 2001 (20-03-01)". Where the international application claims the priority of several earlier applications, the filing date of the earliest application whose priority is claimed must be indicated as the priority date.

Title of the Invention: If a new title has been established by the International Searching Authority, that title must be indicated in Box No. I.

BOX No. II

Applicant(s) (Rule 53.4): All the applicants for the elected States must be indicated in the demand; an applicant named in the request (Form PCT/RO/101) for a State which is not elected need not be named in the demand. It should be noted that the persons named as "inventor only" in the request need not be named in the demand.

Make in Box No. II of the demand the required indications as appearing in Boxes Nos. II and III of the request. The Notes

to the request apply *mutatis mutandis*. If there are two or more applicants for the States elected in the demand, give the required indications for each of them; if there are more than three applicants, make the required indications on the "Continuation Sheet".

If different applicants are indicated in the request for different designated States, indicate in Box No. II of the demand only the applicants for the States elected in Box No. V (no indication of the States for which a person is applicant need be made, because those indications have been made in the request).

Applicant's registration number with the Office (Rule 53.4): Where the applicant is registered with the national or regional Office that is acting as International Preliminary Examining Authority, the demand may indicate the number or other indication under which the applicant is so registered.

BOX No. III

Agent or Common Representative (Rules 53.5, 90.1 and 90.2): Mark the applicable check-boxes to indicate *first* whether the person named in this Box is agent or common representative, *then* whether that person *has been appointed earlier* (i.e., during the procedure under Chapter I), or *is appointed in the demand* and any earlier appointment of another person is revoked, or *is appointed specifically for the procedure before the IPEA* (without revocation of any earlier appointment), in addition to the person(s) appointed earlier.

Where an additional person is appointed specifically for the procedure before the IPEA, all notifications issued by the IPEA will be addressed only to that additional person.

A separate power of attorney must be filed with the IPEA, the International Bureau or the receiving Office, if the person appointed at the time the demand is filed (i.e., was not appointed earlier) signs the demand on behalf of the applicant (Rule 90.4).

Agent's registration number with the Office (Rule 53.5): Where the agent is registered with the national or regional Office that is acting as International Preliminary Examining Authority, the demand may indicate the number or other indication under which the agent is so registered.

Address for Correspondence (Rule 4.4(d) and Section 108): Where an agent is appointed, any correspondence intended for the applicant will be sent to the address indicated for that agent (or for the first-mentioned agent, if more than one is appointed). Where one of two or more applicants is appointed as common representative, the address indicated for that applicant in Box No. III will be used.

Where no agent or common representative is appointed, any correspondence will be sent to the address, indicated in Box No. II, of the applicant (if only one person is named as applicant) or of the applicant who is considered to be common representative (if there are two or more persons named as applicants). However, if the applicant wishes correspondence to be sent to a different address in such a case, that address may be indicated in Box No. III instead of the designation of an agent or common representative. In this case, and only in this case, the last check-box of Box No. III must be marked (that is, the last check-box must not be marked if either of the check-boxes "agent" or "common representative" in Box No. III has been marked).

BOX No. IV

Statement Concerning Amendments (Rules 53.2(a)(v), 53.9, 62, 66.1 and 69.1): The international preliminary examination will start on the basis of the international application as filed or, if amendments have been filed, as amended. Mark the appropriate check-box(es) to enable the IPEA to determine when and on what basis it can start international preliminary examination.

Mark the corresponding check-box(es) under No. 1 where the international preliminary examination should start on the basis of the international application as originally filed or where amendments are to be taken into account, as the case may be. Where amendments are to be taken into account, the applicant must submit *with the demand* a copy of amendments to the claims under Article 19 (Rule 53.9(a)(i)) and/or the amendments of the international application under Article 34 (Rule 53.9(c)), as the case may be. If a check-box is marked but the demand is not accompanied by the documents referred to, the start of international preliminary examination will be delayed until the IPEA receives them.

Mark check-box No. 2 if amendments of the claims under Article 19 have been filed with the International Bureau during the Chapter I procedure, but the applicant does not want these amendments to be taken into account for the purpose of international preliminary examination when the latter starts (Rule 53.9(a)(ii)).

Mark check-box No. 3 where the time limit for filing amendments of the claims under Article 19 has not expired at the time the demand is filed and the applicant wants to keep the option for the filing of such amendments open; the IPEA is thus requested to postpone the start of international preliminary examination (Rules 53.9(b) and 69.1(d)). It should be noted that the examination will start in any event after the expiration of 20 months from the priority date even where the time limit for filing amendments has not yet expired or no amendments have been received by the IPEA.

If no check-box is marked, refer to the footnote at the bottom of the Box.

Language for the Purposes of International Preliminary Examination (Rule 55.2): Where neither the language in which the international application is filed nor the language in which the international application is published is accepted by the IPEA that is to carry out the international preliminary examination, the applicant must furnish with the demand a translation of the international application into a language which is both a language accepted by that Authority and a language of publication.

Where such translation has already been furnished to the International Searching Authority for the purposes of carrying out international search and the IPEA is part of the same Office or intergovernmental organization as the International Searching Authority, the applicant need not furnish another translation. In such a case the international preliminary examination is carried out on the basis of the translation furnished for the purposes of international search.

The language for the purposes of international preliminary examination should be indicated in Box No. IV, on the dotted line, and the corresponding check-box should be marked.

Language of Amendments (Rules 55.3 and 66.9): Amendments and letters relating thereto must be in the same language as that in which the international preliminary examination is carried out, as explained in the preceding paragraphs.

Time Limit for Furnishing Translation of the International Application (Rule 55.2): Any required translation of the international application should be furnished (by the applicant) together with the demand. If it is not so furnished, the IPEA will invite the applicant to furnish it within a time limit which shall not be less than one month from the date of the invitation. That time limit may be extended by the IPEA.

BOX No. V

Election of States (Rule 53.7): Only States which are bound by Chapter II of the PCT *and* which have been designated in the international application (that is, States whose designations have been made under Rule 4.9(a), confirmed under Rule 4.9(c) or considered as having been made under Rule 32.2(a)(i)) can be elected. They are the “eligible States”.

For the convenience and protection of applicants, Box No. V contains a statement to the effect that all eligible States are elected. It is only where the applicant does not wish to elect certain eligible States that the name(s) or two-letter code(s) of those States must be indicated after the words “wishes not to elect:”.

The indication in the demand of the kind of protection or treatment desired for any elected State is not required since

it follows the indication made when designating that State in the international application.

BOX No. VI

Check List: It is recommended that this Box be filled in carefully in order for the IPEA to determine as soon as possible whether it is in possession of the documents on the basis of which the applicant wishes international preliminary examination to start.

Where the international application contains disclosure of one or more nucleotide and/or amino acid sequences, and a copy of the sequence listing in computer readable form complying with the standard provided for in the Administrative Instructions is required by the IPEA, the applicant may furnish the listing in computer readable form to the IPEA with the demand. If this is the case, check-box No. 5 must be marked.

BOX No. VII

Signature (Rules 53.8, 90.3(a) and 90.4(a)): The demand must be signed by the applicant or by his agent; if there are two or more applicants, the common representative may sign the demand. If the demand is not signed by (all) the persons who are applicants for the elected States (a person who is applicant only for a State which is not elected need not sign the demand), a power of attorney signed by that (all those) applicant(s) must be filed with the IPEA, with the International Bureau or with the receiving Office unless the agent has previously been appointed.

PCT

FEE CALCULATION SHEET

Annex to the Demand

International application No.	For International Preliminary Examining Authority use only	
Applicant's or agent's file reference	Date stamp of the IPEA	
Applicant		
CALCULATION OF PRESCRIBED FEES		
1. Preliminary examination fee		P
2. Handling fee (<i>Applicants from certain States are entitled to a reduction of 75% of the handling fee. Where the applicant is (or all applicants are) so entitled, the amount to be entered at H is 25% of the handling fee.</i>)		H
3. Total of prescribed fees Add the amounts entered at P and H and enter total in the TOTAL box		
	TOTAL	
MODE OF PAYMENT		
<input type="checkbox"/> authorization to charge deposit account with the IPEA (see below)	<input type="checkbox"/> cash	
<input type="checkbox"/> cheque	<input type="checkbox"/> revenue stamps	
<input type="checkbox"/> postal money order	<input type="checkbox"/> coupons	
<input type="checkbox"/> bank draft	<input type="checkbox"/> other (<i>specify</i>):	
AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT ACCOUNT <i>(This mode of payment may not be available at all IPEAs)</i>		
<input type="checkbox"/> Authorization to charge the total fees indicated above.	IPEA/ _____	
<input type="checkbox"/> (<i>This check-box may be marked only if the conditions for deposit accounts of the IPEA so permit</i>) Authorization to charge any deficiency or credit any overpayment in the total fees indicated above.	Deposit Account No.: _____	
	Date: _____	
	Name: _____	
	Signature: _____	

NOTES TO THE FEE CALCULATION SHEET (ANNEX TO FORM PCT/IPEA/401)

The purpose of the fee calculation sheet is to help the applicant to identify the prescribed fees and to calculate the amounts to be paid. It is strongly recommended that the applicant complete, by entering the appropriate amounts in the boxes provided, and submit the fee calculation sheet at the time of filing of the demand. This will help the International Preliminary Examining Authority (IPEA) to verify the calculations and to identify any error in them.

CALCULATION OF PRESCRIBED FEES

Two fees must be paid for international preliminary examination:

- (i) the preliminary examination fee for the benefit of the IPEA (Rule 58.1);
- (ii) the handling fee for the benefit of the International Bureau (Rule 57).

Both fees must be paid to the IPEA within one month from the date on which the demand is submitted. The amount payable is the amount applicable on the date of submittal (Rules 57.3 and 58.1(b)). The fees must be paid in a currency acceptable to the IPEA.

Information about the amount of those fees or about equivalent amounts in other currencies can be obtained from the IPEA or the receiving Office. This information is also published in the *PCT Applicant's Guide*, Volume I/B, Annex E, and from time to time in Section IV of the *PCT Gazette*.

Box P: The amount of the preliminary examination fee must be entered in Box P.

Box H: The amount of the handling fee must be entered in Box H.

Reduction of the Handling Fee for Applicants from Certain States: An applicant who is a natural person and who is a national of and resides in a State whose per capita national income is below 3,000 US dollars (according to the average per capita national income figures used by the United Nations for determining its scale of assessments for the contributions payable for the years 1995, 1996 and 1997) is entitled, in accordance with the Schedule of Fees, to a reduction of 75% of certain PCT fees including the handling fee. If there are several applicants, each must satisfy the above-mentioned criteria. The reduction of the handling fee will be automatically available to any applicant (or applicants) who is (or are) so entitled on the basis of the indications of name, nationality and residence given in Box No. II of the demand.

The fee reduction will be available even if one or more of the applicants are not from PCT Contracting States, provided that each of them is a national and resident of a State that meets the above-mentioned requirements and that at least one of the applicants is a national or resident of a PCT Contracting State and thus is entitled to file an international application.

Natural persons who are nationals of and reside in the following PCT Contracting States are eligible: AL Albania, AM Armenia, AZ Azerbaijan, BA Bosnia and Herzegovina, BF Burkina Faso, BG Bulgaria, BJ Benin, BR Brazil, BY Belarus, BZ Belize, CF Central African Republic,

CG Congo, CI Côte d'Ivoire, CM Cameroon, CN China, CO Colombia, CR Costa Rica, CU Cuba, CZ Czech Republic, DM Dominica, DZ Algeria, EC Ecuador, EE Estonia, GA Gabon, GD Grenada, GE Georgia, GH Ghana, GM Gambia, GN Guinea, GQ Equatorial Guinea, GW Guinea-Bissau, HR Croatia, HU Hungary, ID Indonesia, IN India, KE Kenya, KG Kyrgyzstan, KP Democratic People's Republic of Korea, KZ Kazakhstan, LC Saint Lucia, LK Sri Lanka, LR Liberia, LS Lesotho, LT Lithuania, LV Latvia, MA Morocco, MD Republic of Moldova, MG Madagascar, MK The former Yugoslav Republic of Macedonia, ML Mali, MN Mongolia, MR Mauritania, MW Malawi, MX Mexico, MZ Mozambique, NE Niger, PH Philippines, PL Poland, RO Romania, RU Russian Federation, SD Sudan, SK Slovakia, SL Sierra Leone, SN Senegal, SZ Swaziland, TD Chad, TG Togo, TJ Tajikistan, TM Turkmenistan, TN Tunisia, TR Turkey, TZ United Republic of Tanzania, UA Ukraine, UG Uganda, UZ Uzbekistan, VN Viet Nam, YU Yugoslavia, ZA South Africa, ZM Zambia and ZW Zimbabwe. As far as other States are concerned, inquiries should be addressed to the International Bureau.

Calculation of the Handling Fee in Case of Fee Reduction: Where the applicant is (or all applicants are) entitled to a reduction of the handling fee, the total to be entered at Box H is 25% of the handling fee.

Total Box: The total of the amounts inserted in Boxes P and H is the amount which must be paid to the IPEA.

MODE OF PAYMENT

In order to help the IPEA identify the mode of payment of the prescribed fees, it is recommended to mark the applicable check-box(es).

AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT ACCOUNT

The applicant should check whether the IPEA allows the use of deposit accounts for payment of PCT fees. In addition, it is recommended that the applicant check what are the specific conditions applicable to the use of deposit accounts with the IPEA since not all IPEAs provide the same services.

Finally, if the IPEA is not the same national Office or intergovernmental organization as that with which the international application was filed, the deposit account with the receiving Office cannot be charged for the purpose of paying the preliminary examination and handling fees due to the IPEA.

The IPEA will not charge fees to deposit accounts unless the deposit account authorization is signed and indicates the deposit account number.