

D International Searching Authorities D

ES SPANISH PATENT AND TRADEMARK OFFICE ES

Search fee (PCT Rule 16): ¹	Euro (EUR) Swiss franc (CHF) US dollar (USD)	1,775 1,915 2,091
Additional search fee (PCT Rule 40.2): ²	EUR	1,775
Fee for copies of documents cited in the international search report (PCT Rule 44.3):	EUR EUR	4.69 per national document 4.69 per foreign document
Fee for copies of documents contained in the file of the international application (PCT Rule 94.1 <i>ter</i>):	EUR	0.23 per page
Conditions for refund and amount of refund of the search fee:	<p>Money paid by mistake, without cause, or in excess, will be refunded, upon request by the applicant.</p> <p>Where the international application is withdrawn or is considered withdrawn, under PCT Article 14(1), (3) or (4), before the start of the international search: refund of 100%</p> <p>Where the Authority benefits from an earlier search already made by the Authority on an application whose priority is claimed for the international application: refund of 100% or 50%, depending upon the extent to which the Authority benefits from that earlier search</p> <p>Where the Authority benefits from an earlier search already made by an Authority of a State party to the EPC: refund of 75%</p> <p>Where the Authority benefits from an earlier search already made by an Authority of a State not party to the EPC: refund of 25%</p>	
Protest fee (PCT Rule 40.2(e)):	None	
Languages accepted for international search:	English, Spanish	
Does the Authority accept informal comments on earlier search results where an international application claims priority from an earlier application already searched by this Authority?	<p>Yes, the applicant may submit informal comments to overcome objections raised in the search report and written opinion for the priority application. At the Spanish Patent and Trademark Office this service is called "PCT Direct". Informal comments should be sent to the receiving Office together with the international application in the form of a separate letter entitled "PCT Direct/informal comments" ("<i>PCT Directo/comentarios informales</i>"). PCT Direct submissions are published on PATENTSCOPE.</p>	

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¹ This fee is payable to the receiving Office concerned in the currency or one of the currencies accepted by it (see Annex C). The fee is reduced by 75% where the applicant or, if there are two or more applicants, each applicant is a natural person or a legal entity and is a national of and resides in a State not party to the European Patent Convention and which is classified by the World Bank in the group of countries of "low income", "lower middle income" or "upper middle income", see www.wipo.int/pct/en/fees/oepm_fee_reduction.html.

² This fee is payable to the International Searching Authority and only in particular circumstances. Footnote 1 (except the first sentence) is also applicable.

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Does the Authority require that nucleotide and/or amino acid sequence listings be furnished in electronic form (PCT Rule 13ter.1)?

Yes

Which types of electronic carrier does the Authority require?

Diskette, CD-ROM

Subject matter that will not be searched:

The subject matter specified in items (i) to (vi) of PCT Rule 39.1 with the exception of any subject matter searched under the patent grant procedure in accordance with the provisions of Spanish patent law No. 24/2015 of 24 July 2015

Waiver of power of attorney:

Has the Authority waived the requirement that a separate power of attorney be submitted?

Yes³

Particular instances in which a separate power of attorney is required:

In case of reasonable doubt regarding the agent's entitlement to act; and upon appointment of, or for any paper submitted by, an agent or a common representative who was not indicated in the request form at the time of filing.

Has the Authority waived the requirement that a copy of a general power of attorney be submitted?

Yes³

Particular instances in which a copy of a general power of attorney is required:

In case of reasonable doubt regarding the agent's entitlement to act; and upon appointment of, or for any paper submitted by, an agent or a common representative who was not indicated in the request form at the time of filing.

³ Waivers of powers of attorney do not apply (PCT Rule 90.4(e) and 90.5(d)) where the agent or common representative submits any notice of withdrawal during the international phase (PCT Rule 90bis.1 to 90bis.4; see also International Phase, paragraph 11.048).