

E International Preliminary Examining Authorities E

EP EUROPEAN PATENT OFFICE (EPO)¹ EP

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|------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| Preliminary examination fee (PCT Rule 58): ^{2,3} | Euro (EUR) | 1,830 |
| Additional preliminary examination fee (PCT Rule 68.3): ⁴ | Same amount as above | |
| Handling fee (PCT Rule 57.1): ^{3,5} | EUR | 185 |
| Conditions for refund and amount of refund of the preliminary examination fee: | <p>Money paid by mistake, without cause, or in excess, will be refunded.</p> <p>In the cases provided for under PCT Rule 58.3: refund of 100%</p> <p>If the international application or the demand is withdrawn before the start of the international preliminary examination: refund of 100%</p> | |
| Protest fee (PCT Rule 68.3(e)): | EUR | 910 |
| Late furnishing fee (PCT Rule 13 ^{ter} .2): | EUR | 240 |
| Does the Office accept the filing of demands (PCT Chapter II) in electronic form? ⁶ | Yes, the Office accepts electronic filing via EPO Online Filing, the EPO web-form filing service, the EPO case management system (CMS) or ePCT-Filing. | |
| Languages accepted for international preliminary examination: | English, French, German | |
| Subject matter that will not be examined: | The subject matter specified in items (i) to (vi) of PCT Rule 67.1 with the exception of any subject matter which is examined under the patent grant procedure in accordance with the provisions of the European Patent Convention | |

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¹ The EPO may act as International Preliminary Examining Authority only if the international search is or has been performed by the EPO, the Austrian Patent Office, the Finnish Patent and Registration Office (PRH), the Nordic Patent Institute, the Spanish Patent and Trademark Office, the Swedish Intellectual Property Office (PRV), the Turkish Patent and Trademark Office (Turkpatent) or the Visegrad Patent Institute.

² This fee is reduced by 75% where the applicant or, if there are two or more applicants, each applicant is a natural person and is a national of and resides in a State classified by the World Bank as low-income or lower-middle-income economy. For the list of States to which this reduction applies, see <https://www.epo.org/applying/fees/international-fees/information.html>. This fee is also reduced by 75% where the applicant, or if there are two or more applicants, each applicant is a natural or legal person who, within the meaning of Rule 18 of the Patent Cooperation Treaty, is a national of and resident in a state in which a validation agreement with the European Patent Organisation is in force. For further information refer to the decision of the EPO's Administrative Council of 12 December 2019 (OJ EPO 2020, A4): <https://www.epo.org/law-practice/legal-texts/official-journal/2020/01/a4.html>

³ The late payment fee, equal to 50% of the amount of the unpaid fees, is payable to the International Preliminary Examining Authority. See OJ EPO 5/1998, page 282.

⁴ This fee is payable to the International Preliminary Examining Authority and only in particular circumstances. Footnote 2 is also applicable.

⁵ This fee is payable to the International Preliminary Examining Authority. It is reduced by 90% if certain conditions apply (see Annex C(IB)).

⁶ For the relevant notification by the Office, see *Official Notices (PCT Gazette)* dated 3 November 2016, page 221 *et seq.*

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Waiver of power of attorney:⁸

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

Yes⁹

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

Where procedural acts are performed by a purported agent who is not the agent of record, unless the purported agent belongs to the same office as the agent of record, or if both the purported agent and the agent of record are employees of the applicant or, if there is more than one applicant, of the common representative; or in case of doubt as to the agent's or the common representative's entitlement to act.

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

Yes⁹

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

Where procedural acts are performed by a purported agent who is not the agent of record, unless the purported agent belongs to the same office as the agent of record, or if both the purported agent and the agent of record are employees of the applicant or, if there is more than one applicant, of the common representative; or in case of doubt as to the agent's or the common representative's entitlement to act.

⁷ See footnote 1.

⁸ See OJ EPO 5/2010, page 335.

⁹ 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 90*bis*.1 to 90*bis*.4; see also International Phase, paragraph 11.048).