INTELLECTUAL PROPERTY OFFICE OF PAPUA NEW GUINEA
AS DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:
Office: Intellectual Property Office of Papua New Guinea
PGPA: Papua New Guinea Patents and Industrial Designs Act 2000
PGPR: Papua New Guinea Patents and Industrial Designs Regulations 2002
### Designated (or elected) Office

**PG INTELLECTUAL PROPERTY OFFICE OF PAPUA NEW GUINEA**

#### Summary of requirements for entry into the national phase

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Time limits applicable for entry into the national phase:</strong></td>
<td>Under PCT Article 22(3): 31 months from the priority date&lt;br&gt;Under PCT Article 39(1)(b): 31 months from the priority date</td>
</tr>
<tr>
<td><strong>Translation of international application required into:</strong></td>
<td>English</td>
</tr>
<tr>
<td><strong>Required contents of the translation for entry into the national phase:</strong></td>
<td>Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended), any text matter of drawings, abstract&lt;br&gt;Under PCT Article 39(1): Description, claims, any text matter of drawings, abstract (if any of those parts has been amended, both as originally filed and as amended by the annexes to the international preliminary examination report)</td>
</tr>
<tr>
<td><strong>Is a copy of the international application required?</strong></td>
<td>The applicant should only send a copy of the international application if he has not received Form PCT/IB/308 and the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2).</td>
</tr>
</tbody>
</table>
| **National fee:**                                                         | **Currency:** Kina (PGK)<br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br>
## Designated (or elected) Office

### PG INTELLECTUAL PROPERTY OFFICE
OF PAPUA NEW GUINEA

[Continued]

| Special requirements of the Office (PCT Rule 51bis): | Appointment of an agent if the applicant is not resident in Papua New Guinea. An instrument appointing the agent (authorization or power of attorney) is required.²  
Name and address of the inventor if they have not been furnished in the “Request” part of the international application³, ⁴  
Evidence of entitlement to file where the applicant is not the inventor³, ⁴  
Evidence of entitlement to claim priority where the applicant is not the applicant who filed the earlier application³, ⁴  
Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306)⁴ |
| Who can act as agent? | Any natural or legal person resident in Papua New Guinea |
| Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)? | Yes, the Office applies both the “unintentional” and the “due care” criteria to such requests |

² If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit fixed in the invitation.

³ This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

⁴ If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit of two months from the date of receipt of the invitation.

(17 November 2011)
THE PROCEDURE IN THE NATIONAL PHASE

PG.01 LANGUAGE OF PROCEEDINGS. The language of proceedings is English. Any document forming part of the application or submitted to the Office shall be in English or be accompanied by an English translation.

PG.02 FEES (MANNER OF PAYMENT). The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex PG.I.

PG.03 ANNUAL FEES. The prescribed annual fees are to be paid in advance for each year, commencing one year after the filing of the patent application. The annual fee may be paid until six months after the date on which it became due provided that an additional fee as prescribed is also paid.

PG.04 FEE FOR GRANT AND PUBLICATION. A fee for grant and publication must be paid before the grant of the patent. The amount of the said fee is indicated in Annex PG.I.

PG.05 APPOINTMENT OF AGENT, POWER OF ATTORNEY AND ADDRESS FOR SERVICE. If the applicant is not resident in Papua New Guinea, an agent must be appointed. The appointment of an agent shall be by a power of attorney. The power of attorney appointing an agent may be filed together with the application or within two months from its filing date. The address of the agent shall be treated as the address of service, i.e. the address to which communications to the person or persons who appointed the agent shall be transmitted.

PG.06 AMENDMENT OF THE APPLICATION; TIME LIMITS. The applicant may, at any time before a patent is granted, make amendments to his application, provided that the amendment does not go beyond the disclosure in the initial application.

PG.07 REVIEW UNDER ARTICLE 25 OF THE PCT. The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. Before any adverse decision is made, the applicant is afforded the opportunity of being heard by filing a request for a hearing. The request for such a hearing shall be in writing and shall be subject to payment of the prescribed fee.

PG.08 EXCUSE OF DELAYS IN MEETING TIME LIMITS. Reference is made to paragraphs 6.022 to 6.027 of the National Phase.
FEES

(Currency: Kina)

Application for a patent ............................................................... 1,000

In a patent application, if the application includes nucleotide and/or amino acid sequence listings filed on a compact disk or by other electronic means ........................................ 1,500

Each divisional application for a patent .................................................... 300

Amendment of application at the instance of the applicant .......................... 170

Correction of application at the instance of the Registrar ................................. 50

Preparation of abstract by the Registrar ................................................. 100

Amendment of application on invitation of the Registrar ................................. 50

Grant and publication fee .............................................................. 100

Filing notice of opposition to grant of patent/utility model/industrial design certificate ........................................ 1,200

Annual fees:
   — for the 2nd year ........................................................................ 170
   — for the 3rd year ......................................................................... 200
   — for the 4th year ......................................................................... 240
   — for the 5th year ......................................................................... 270
   — for the 6th year ......................................................................... 330
   — for the 7th year ......................................................................... 400
   — for the 8th year ......................................................................... 460
   — for the 9th year ......................................................................... 550
   — for the 10th year ........................................................................ 640
   — for the 11th year ........................................................................ 700
   — for the 12th year ........................................................................ 750
   — for the 13th year ....................................................................... 800
   — for the 14th year ....................................................................... 900
   — for the 15th year ....................................................................... 1,000
   — for the 16th year ....................................................................... 1,100
   — for the 17th year ...................................................................... 1,200
   — for the 18th year ...................................................................... 1,300
   — for the 19th year ...................................................................... 1,400
   — for the 20th year ...................................................................... 0

Surcharge for late payment of the annual fees ................................................. In addition to any other fee payable in relation to this item –
   200 for each month, or part of a month,
   in the period between the anniversary and
   the day when the fee is paid

How can payment of fees be effected?

Fees are to be paid in the Papua New Guinea currency, which is the Papua New Guinea Kina (PGK).

Currently, the mode of payment for overseas applicants is by bank drafts/cheques made payable to the “Investment Promotion Authority”.

(27 July 2006)