

Patent Cooperation Treaty (PCT) Working Group

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CRITERIA FOR FEE REDUCTIONS TO CERTAIN APPLICATIONS FROM CERTAIN COUNTRIES, NOTABLY DEVELOPING AND LEAST DEVELOPED COUNTRIES

Document prepared by the International Bureau

This document replaces document PCT/WG/17/5. It corrects a mistake in the original document where actual United States dollar values were used for the GDP figures instead of constant 2005 dollar values. It also updates the data to use the 2022 GDP and population figures released by the United Nations in January 2024 as well as the provisional 2023 PCT filing figures. It also updates the information on scheduled graduation of States from the least developed country category. Paragraphs 10 and 11 and Annex I are changed to reflect the updated and corrected figures. Paragraphs 13 and 14 are changed to reflect the updated conclusions.

SUMMARY

1. According to Directives adopted by the Assembly, the lists of States whose nationals and residents are eligible for fee reductions under items 5(a) and (b) of the Schedule of Fees are to be updated next year, with effect from January 1, 2025. This document sets out provisional information concerning the revised lists, according to the criteria set in the PCT Schedule of Fees and the Directives of the Assembly. The document also comments on the criteria for fee reductions under items 5(a) and (b) and proposes modifications to the Directives in view of changes to the meeting time of the PCT Assembly during the year.

BACKGROUND

2. The PCT Assembly, at its forty-sixth session, held from September 22 to 30, 2014, adopted amendments to the Schedule of Fees annexed to the PCT Regulations, setting out new criteria defining the lists of States whose nationals and residents are eligible for a fee reduction according to item 5(a) and/or (b) of that Schedule. The Assembly also adopted

Directives on the procedures for updating the lists every five years and required that the criteria be reviewed by the Assembly at least every five years. The criteria adopted by the PCT Assembly in 2014 are as follows:

“5. The international filing fee under item 1 (where applicable, as reduced under item 4), the supplementary search handling fee under item 2 and the handling fee under item 3 are reduced by 90% if the international application is filed by:

“(a) an applicant who is a natural person and who is a national of and resides in a State that is listed as being a State whose per capita gross domestic product is below US\$ 25,000 (according to the most recent 10-year average per capita gross domestic product figures at constant 2005 US\$ values published by the United Nations), and whose nationals and residents who are natural persons have filed less than 10 international applications per year (per million population) or less than 50 international applications per year (in absolute numbers) according to the most recent five-year average yearly filing figures published by the International Bureau; or

“(b) an applicant, whether a natural person or not, who is a national of and resides in a State that is listed as being classified by the United Nations as a least developed country;

“provided that, at the time of filing of the international application, there are no beneficial owners of the international application who would not satisfy the criteria in sub-item (a) or (b) and provided that, if there are several applicants, each must satisfy the criteria set out in either sub-item (a) or (b). The lists of States referred to in sub-items (a) and (b) shall be updated by the Director General at least every five years according to directives given by the Assembly. The criteria set out in sub-items (a) and (b) shall be reviewed by the Assembly at least every five years.”

3. According to the “Directives For Updating the Lists of States Meeting the Criteria for Reduction of Certain PCT Fees” (“the Directives”) adopted by the Assembly in 2014 (see Annex II to the Report of the forty-sixth session of the PCT Assembly, document PCT/A/46/6), five years after the establishment of the first list of States which meet the criteria referred to in items 5(a) and (b) of the Schedule of Fees (and every five years thereafter), the Director General is required to update the lists of States based on the following information:

“(i) item 5(a) of the Schedule of Fees according to the most recent 10-year average per capita gross domestic product figures from the United Nations and according to the most recent five-year average yearly PCT filing figures by the International Bureau, respectively, published at least two weeks prior to the first day of the session of the Assembly in September/October of that year;

“(ii) item 5(b) of the Schedule of Fees according to the most recent list of countries classified as least developed countries by the United Nations published at least two weeks prior to the first day of the session of the Assembly in September/October of that year...”

4. For updating the lists under the Directives, the Director General prepares draft lists and makes them available to PCT Contracting States and States entitled to observer status in the Assembly for comment before the end of that session of the Assembly. The Director General then establishes new lists that apply from January 1 the following year.

5. In line with the Directives, the Director General updated the lists of States whose applicants are eligible for fee reductions under item 5 of the Schedule of Fees based on the relevant figures for item 5(a) and the most recent list of least developed countries published at least two weeks before the first day of the fifty-first session of the PCT Assembly that took place

from September 30 to October 9, 2019. The updated list entered into force on January 1, 2020¹.

6. As required under the Schedule of Fees, the PCT Assembly, at its fifty-first session in September/October 2019, reviewed the criteria set out in items 5(a) and (b). The Assembly decided to maintain the criteria and that these criteria be reviewed again in five years' time, as required by that Schedule (see document PCT/A/51/3 and paragraphs 18 to 20 of the Report of the session, document PCT/A/51/4).

7. This document sets out provisional information for revising the lists of States whose nationals and residents are eligible for a fee reduction under item 5(a) and/or (b) of the Schedule of Fees, comments on the review of the criteria for eligibility for fee reductions under items 5(a) and (b), and proposes modifications to the Directives to refer to the annual series of meetings of the Assemblies of the Member States of WIPO in place of a specific time of the year for the PCT Assembly.

UPDATING THE LISTS

8. Following the first update in 2019 of the lists of States whose nationals and residents are eligible for fee reductions under items 5(a) and (b) of the Schedule of Fees, item 5 requires a further update in 2024. The revised lists will take effect on January 1, 2025.

9. Since 2022, the PCT Assembly has taken place at the same time as the Assemblies of Member States of WIPO in July each year. Where the Directives refer to "the first day of the session of the Assembly taking place in September/October of that year", for the update in 2024, the International Bureau proposes that this should be understood to refer to the session of the PCT Assembly taking place at the same time as the other WIPO Assemblies in July 2024. As the first day of that session will be July 9, 2024, the relevant figures for revising the list of States under item 5(a) of the Schedule of Fees, and the most recent list of countries classified as least developed countries by the United Nations, will be the figures and list available on June 25, 2024.

10. The 10-year period for gross domestic product will be the period between 2013 to 2022, including the figures released by the United Nations in January 2024. The period for average yearly PCT filing figures will be the period between 2019 to 2023; the figures for 2023 are still provisional.

11. Annex I contains three tables showing the expected eligibility of States for the revised lists, based on the information available in February 2024:

- (a) the States currently listed as eligible for the reduction under item 5(a), but not item 5(b);
- (b) the States currently listed as eligible for the reduction under item 5(b) (least developed countries); and
- (c) the States not currently listed as eligible for either fee reduction.

12. The United Nations no longer publishes a list of constant 2005 United States dollar (USD) values for gross domestic product. Consequently, these values have been replicated, based on the lists published for actual GDP and "GDP Index constant prices – USD". This was the same approach taken for the update in 2019.

¹ The updated lists is available on the WIPO website at: <https://www.wipo.int/export/sites/www/pct/en/docs/fee-reduction-january.pdf>.

13. The information available in February 2024 indicates that, since the Director General last updated the lists in item 5 of the Schedule of Fees in 2019:

(a) No entries will be removed from the list of countries whose nationals and residents are currently eligible for the reduction under item 5(a). Bahamas and Kuwait will be added to the list.

(b) Vanuatu (in 2020) and Bhutan (in 2023) have graduated from the least developed country category². Applicants from these States will cease to be eligible for the reduction under item 5(b); however, this will, in practice, only affect legal entities from those States, since natural persons who are nationals of and residents in these States will still benefit from the reductions under item 5(a). Five more States (Sao Tome and Principe in 2024; Bangladesh, Lao People's Democratic Republic, and Nepal in 2026; and Solomon Islands in 2027) are due to graduate from the least developed country category before the next list would be established in five years' time. Under the Directives, these States would continue to benefit from fee reductions under item 5(b) until the end of the 5-year period of validity of the list.

14. The expected result of updating the lists is consequently that:

(a) nationals and residents of Bahamas and Kuwait will become eligible for the reduction under item 5(a);

(b) nationals and residents, whether natural persons or not, of Vanuatu and Bhutan will cease to be eligible for the reduction under item 5(b), but nationals and residents of those States who are natural persons will continue to be eligible for the reduction under item 5(a).

15. In accordance with the Directives, a revised version of the lists, including any new information that becomes available, will be prepared shortly before the PCT Assembly and be open for comment until the end of the Assembly on July 17, 2024.

REVIEW OF THE CRITERIA

16. The Schedule of Fees requires that the criteria for eligibility for the fee reductions be reviewed by the Assembly at least every five years. The previous review took place in 2019, so the Assembly is required to review the criteria in 2024.

17. Given the relatively minor changes to the lists following the previous review, there are no obvious patterns to be discerned from the effect of a country around the boundary points being added to or removed from the list. The International Bureau would simply note that the effect of taking 10-year averages of GDP and five-year averages of filing figures has been effective, as intended, at smoothing changes in eligibility requirements and avoiding sudden loss in eligibility from a single year of growth.

18. The International Bureau does not have any recommendations at this time for changes to the criteria for determining eligibility for these reductions and would propose that the Working Group recommend to the Assembly that the criteria in item 5 of the Schedule of Fees be maintained and be reviewed again in five years, as required by that Schedule.

MODIFICATION OF THE DIRECTIVES FOR UPDATING THE LISTS OF STATES MEETING THE CRITERIA FOR REDUCTION OF CERTAIN PCT FEES

19. Following the change in the time of year that the PCT Assembly meets, as explained in paragraph 9, above, the International Bureau invites the Working Group to consider making a

² <https://www.un.org/development/desa/dpad/least-developed-country-category/ldc-graduation.html>

recommendation to the Assembly to modify the Directives for making future updates to the lists of States meeting the criteria referred to in items 5(a) and (b) of the Schedule of Fees. Annex II contains proposed modifications to the Directives to refer to the session of the Assembly that is part of the annual series of meetings of the Assemblies of the Member States of WIPO instead of a specific time during the year.

20. *The Working Group is invited to:*

(i) note the provisional information set out in Annex I concerning States expected to be included in revised lists for the purpose of the fee reductions in items 5(a) and (b) of the Schedule of Fees;

(ii) comment on the use, effectiveness and suitability of the criteria in item 5 of the Schedule of Fees;

(iii) recommend to the PCT Assembly that the criteria in item 5 of the Schedule of Fees be maintained and reviewed again in five years, as required by that Schedule; and

(iv) recommend to the PCT Assembly to adopt the proposed modifications to the Directives for Updating the Lists of States Meeting the Criteria for Reduction of Certain PCT Fees set out in Annex II.

[Annexes follow]

ELIGIBILITY FOR FEE REDUCTIONS

The following tables show provisional information on the eligibility of States for inclusion in the lists for reductions under items 5(a) and 5(b) of the Schedule of Fees.

In these tables, the “eligible” columns show “Y” (“Yes”) if the State meets the criteria for inclusion in the relevant list when it is established or “N” (“No”) if the State will not meet the criteria for inclusion in the relevant list when it is established. Indications that will change the status from the current lists are highlighted. The “Pop.” column shows the average population in the period 2017 to 2021 according to the United Nations statistics. The GDP column shows the average per capita gross domestic product values for the period 2013 to 2022 at constant 2005 United States dollar values. The applications by natural person are based on the provisional figures for international applications (IAs) filed in the period 2019-2023, though the “per million” figure is calculated using the 2018-2022 population figures since the 2023 figures are not available.

To be eligible for the reduction under item 5(a), a State must have a GDP of less than 25,000 United States dollars and either the average total applications by natural persons must be less than 50 or else the applications per million persons must be less than 10.

A. States currently listed for the reduction in item 5(a), but not 5(b)

ST.3 code, State	Eligible 5(a)	Eligible 5(b)	Pop.	GDP	IAs by natural person (total)	IAs by natural person (per million)
AG Antigua and Barbuda	Y		0.1	12,936.8	-	-
AL Albania	Y		2.9	4,301.6	1.0	0.3
AM Armenia	Y		2.8	3,037.5	4.0	1.4
AR Argentina	Y		45.0	6,050.4	16.6	0.4
AZ Azerbaijan	Y		10.3	3,141.6	7.2	0.7
BA Bosnia and Herzegovina	Y		3.3	4,417.7	5.0	1.5
BB Barbados	Y		0.3	13,963.0	0.2	0.7
BG Bulgaria	Y		7.0	5,692.6	19.8	2.8
BH Bahrain	Y		1.5	18,612.4	1.2	0.8
BO Bolivia (Plurinational State of)	Y		11.9	1,438.5	0.2	0.0
BR Brazil	Y		213.0	5,664.3	235.6	1.1
BW Botswana	Y		2.5	5,981.4	-	-
BY Belarus	Y		9.6	4,987.2	12.8	1.3
BZ Belize	Y		0.4	4,836.6	0.2	0.5
CG Congo	Y		5.7	1,729.6	-	-
CI Côte d'Ivoire	Y		26.8	1,632.2	0.4	0.0
CL Chile	Y		19.2	10,046.0	42.2	2.2
CM Cameroon	Y		26.5	1,277.5	1.4	0.1
CN China	Y		1,423.1	4,766.9	2,337.4	1.6
CO Colombia	Y		50.8	4,858.5	40.8	0.8
GQ Equatorial Guinea	Y		1.6	6,914.0	-	-

ST.3 code, State	Eligible 5(a)	Eligible 5(b)	Pop.	GDP	IAs by natural person (total)	IAs by natural person (per million)
CR Costa Rica	Y		5.1	6,594.1	2.4	0.5
CU Cuba	Y		11.3	5,547.6	0.2	0.0
CV Cabo Verde	Y		0.6	3,142.0	-	-
CZ Czech Republic	Y		10.5	16,976.9	27.0	2.6
DM Dominica	Y		0.1	5,983.3	-	-
DO Dominican Republic	Y		11.0	6,442.2	4.4	0.4
DZ Algeria	Y		43.4	3,401.7	10.2	0.2
EC Ecuador	Y		17.5	3,599.3	5.4	0.3
EE Estonia	Y		1.3	13,605.4	3.0	2.3
EG Egypt	Y		107.4	1,616.0	38.6	0.4
FJ Fiji	Y		0.9	4,066.5	0.4	0.4
FM Micronesia (Federated States of)	Y		0.1	2,246.4	-	-
GA Gabon	Y		2.3	6,265.7	0.2	0.1
GD Grenada	Y		0.1	6,556.0	-	-
GE Georgia	Y		3.8	3,240.6	5.8	1.5
GH Ghana	Y		32.2	1,629.8	0.4	0.0
GR Greece	Y		10.5	18,887.4	45.0	4.3
GT Guatemala	Y		17.4	2,499.1	0.8	0.0
GY Guyana	Y		0.8	5,755.3	-	-
HN Honduras	Y		10.1	1,539.4	-	-
HR Croatia	Y		4.1	12,151.4	8.0	2.0
HU Hungary	Y		9.8	13,784.4	44.0	4.5
ID Indonesia	Y		271.6	2,204.2	4.2	0.0
IN India	Y		1,394.6	1,330.8	679.0	0.5
IQ Iraq	Y		42.5	2,395.0	0.2	0.0
IR Iran (Islamic Republic of)	Y		87.2	3,822.6	208.0	2.4
JM Jamaica	Y		2.8	4,071.3	0.8	0.3
JO Jordan	Y		10.9	2,086.9	8.4	0.8
KE Kenya	Y		52.0	884.8	4.4	0.1
KG Kyrgyzstan	Y		6.4	678.6	1.2	0.2
KN Saint Kitts and Nevis	Y		0.0	15,000.4	-	-
KP Democratic People's Republic of Korea	Y		25.5	516.6	1.8	0.1
KZ Kazakhstan	Y		19.0	5,817.8	18.4	1.0
LB Lebanon	Y		5.7	5,120.0	3.8	0.7
LC Saint Lucia	Y		0.2	7,394.8	-	-
LK Sri Lanka	Y		21.7	2,630.3	6.6	0.3
LT Lithuania	Y		2.8	12,693.3	3.4	1.2
LV Latvia	Y		1.9	10,735.2	9.4	5.0
LY Libya	Y		6.7	5,636.0	1.4	0.2
MA Morocco	Y		36.7	3,376.0	12.0	0.3

ST.3 code, State	Eligible 5(a)	Eligible 5(b)	Pop.	GDP	IAs by natural person (total)	IAs by natural person (per million)
MD Republic of Moldova	Y		3.1	1,707.4	5.0	1.6
ME Montenegro	Y		0.6	5,069.3	2.4	3.8
MH Marshall Islands	Y		0.0	3,550.0	-	-
MK North Macedonia	Y		2.1	4,254.1	2.6	1.2
MN Mongolia	Y		3.3	2,249.2	0.4	0.1
MT Malta	Y		0.5	22,852.9	1.4	2.7
MU Mauritius	Y		1.3	8,329.0	0.4	0.3
MV Maldives	Y		0.5	5,162.7	-	-
MX Mexico	Y		125.9	9,132.7	104.0	0.8
MY Malaysia	Y		33.2	7,884.1	29.6	0.9
NA Namibia	Y		2.5	4,700.7	0.6	0.2
NG Nigeria	Y		208.4	1,629.0	1.6	0.0
NI Nicaragua	Y		6.8	1,490.5	0.6	0.1
NR Nauru	Y		0.0	7,705.4	-	-
OM Oman	Y		4.6	13,607.5	6.6	1.4
PA Panama	Y		4.3	8,729.9	2.8	0.7
PE Peru	Y		33.2	4,432.5	17.0	0.5
PG Papua New Guinea	Y		9.7	1,437.8	-	-
PH Philippines	Y		112.1	1,918.6	11.2	0.1
PK Pakistan	Y		227.5	963.4	0.6	0.0
PL Poland	Y		38.7	12,831.3	54.6	1.4
PT Portugal	Y		10.3	19,781.8	22.2	2.2
PW Palau	Y		0.0	10,106.3	-	-
PY Paraguay	Y		6.6	2,997.4	0.2	0.0
RO Romania	Y		19.5	7,378.8	21.8	1.1
RS Serbia	Y		7.3	4,939.0	16.4	2.2
RU Russian Federation	Y		145.4	7,155.7	484.4	3.3
SA Saudi Arabia	Y		35.8	14,706.9	24.8	0.7
SC Seychelles	Y		0.1	17,524.2	0.4	3.8
SI Slovenia	Y		2.1	21,075.3	11.4	5.4
SK Slovakia	Y		5.5	13,688.6	13.0	2.4
SR Suriname	Y		0.6	5,174.9	-	-
SV El Salvador	Y		6.3	3,031.9	0.4	0.1
SY Syrian Arab Republic	Y		20.7	857.3	2.8	0.1
SZ Eswatini	Y		1.2	3,906.0	-	-
TH Thailand	Y		71.4	3,937.3	32.6	0.5
TJ Tajikistan	Y		9.5	563.7	0.2	0.0
TM Turkmenistan	Y		6.2	5,279.1	0.2	0.0
TN Tunisia	Y		12.2	4,139.6	5.6	0.5
TO Tonga	Y		0.1	2,785.2	-	-
TR Türkiye	Y		84.1	11,315.9	284.4	3.4

ST.3 code, State	Eligible 5(a)	Eligible 5(b)	Pop.	GDP	IAs by natural person (total)	IAs by natural person (per million)
TT Trinidad and Tobago	Y		1.5	13,324.6	1.8	1.2
UA Ukraine	Y		43.2	1,925.8	110.0	2.5
UY Uruguay	Y		3.4	8,826.6	2.0	0.6
UZ Uzbekistan	Y		33.5	1,369.8	1.0	0.0
VC Saint Vincent and the Grenadines	Y		0.1	6,448.7	-	-
VE Venezuela (Bolivarian Republic of)	Y		28.8	3,844.8	0.2	0.0
VN Viet Nam	Y		96.6	1,671.2	18.0	0.2
WS Samoa	Y		0.2	2,491.1	-	-
ZA South Africa	Y		58.7	6,619.8	106.2	1.8
ZW Zimbabwe	Y		15.7	1,188.5	-	-

B. States currently listed for the reduction in item 5(b) (least developed countries)

ST.3 code, State	Eligible 5(a)	Eligible 5(b)	Pop.	GDP	IAs by natural person (total)	IAs by natural person (per million)
AF Afghanistan	Y	Y	38.9	349.7	-	-
AO Angola	Y	Y	33.4	2,163.9	0.2	0.0
BD Bangladesh	Y	Y	167.4	914.7	0.8	0.0
BF Burkina Faso	Y	Y	21.5	593.4	-	-
BI Burundi	Y	Y	12.2	158.6	-	-
BJ Benin	Y	Y	12.6	970.4	0.6	0.0
BT Bhutan	Y	N	0.8	2,418.7	-	-
CD Democratic Republic of the Congo	Y	Y	93.0	290.9	0.4	0.0
CF Central African Republic	Y	Y	5.3	264.6	-	-
DJ Djibouti	Y	Y	1.1	2,020.5	-	-
ER Eritrea	Y	Y	3.6	418.5	-	-
ET Ethiopia	Y	Y	117.2	370.4	0.2	0.0
GM Gambia (the)	Y	Y	2.6	599.5	-	-
GN Guinea	Y	Y	13.2	580.1	-	-
GW Guinea-Bissau	Y	Y	2.0	484.6	-	-
HT Haiti	Y	Y	11.3	842.9	-	-
KH Cambodia	Y	Y	16.4	888.8	-	-
KI Kiribati	Y	Y	0.1	1,119.7	-	-
KM Comoros	Y	Y	0.8	1,472.2	0.2	0.2
LA Lao People's Democratic Republic	Y	Y	7.3	1,031.7	0.4	0.1
LR Liberia	Y	Y	5.1	408.7	0.2	0.0
LS Lesotho	Y	Y	2.3	1,002.8	-	-

ST.3 code, State	Eligible 5(a)	Eligible 5(b)	Pop.	GDP	IAs by natural person (total)	IAs by natural person (per million)
MG Madagascar	Y	Y	28.2	310.1	0.6	0.0
ML Mali	Y	Y	21.2	912.3	0.2	0.0
MM Myanmar	Y	Y	53.4	598.6	-	-
MR Mauritania	Y	Y	4.5	1,121.5	-	-
MW Malawi	Y	Y	19.4	518.5	-	-
MZ Mozambique	Y	Y	31.2	662.2	-	-
NE Niger	Y	Y	24.4	405.0	0.2	0.0
NP Nepal	Y	Y	29.5	568.6	-	-
RW Rwanda	Y	Y	13.2	578.0	-	-
SB Solomon Islands	Y	Y	0.7	1,388.0	-	-
SD Sudan	Y	Y	44.4	2,122.0	3.0	0.1
SL Sierra Leone	Y	Y	8.2	393.2	-	-
SN Senegal	Y	Y	16.4	1,164.4	1.6	0.1
SO Somalia	Y	Y	16.5	786.4	-	-
SS South Sudan	Y	Y	10.6	544.6	-	-
ST Sao Tome and Principe	Y	Y	0.2	1,078.5	-	-
TD Chad	Y	Y	16.7	979.9	-	-
TG Togo	Y	Y	8.4	708.4	-	-
TL Timor-Leste	Y	Y	1.3	758.0	-	-
TV Tuvalu	Y	Y	0.0	2,937.6	-	-
TZ United Republic of Tanzania	Y	Y	60.1	670.4	-	-
UG Uganda	Y	Y	44.4	613.5	0.6	0.0
VU Vanuatu	Y	N	0.3	1,965.3	-	-
YE Yemen	Y	Y	32.3	375.0	-	-
ZM Zambia	Y	Y	18.9	994.5	0.8	0.0

C. States not currently listed for either fee reduction

ST.3 code, State	Eligible 5(a)	Eligible 5(b)	Pop.	GDP	IAs by natural person (total)	IAs by natural person (per million)
AD Andorra			0.1	38,626.1	2.4	30.8
AE United Arab Emirates			9.3	30,810.0	17.0	1.8
AT Austria			8.9	41,969.8	165.4	18.6
AU Australia			25.6	42,924.7	223.8	8.7
BE Belgium			11.6	40,058.1	30.2	2.6
BN Brunei Darussalam			0.4	25,386.1	0.4	0.9
BS Bahamas	Y		0.4	24,857.9	1.6	3.9
CA Canada			37.8	39,093.0	290.2	7.7
CH Switzerland			8.6	63,177.9	118.6	13.7

ST.3 code, State	Eligible 5(a)	Eligible 5(b)	Pop.	GDP	IAs by natural person (total)	IAs by natural person (per million)
CY Cyprus			0.9	26,567.0	3.4	3.9
DE Germany			83.2	40,983.8	606.2	7.3
DK Denmark			5.8	52,518.3	19.6	3.4
ES Spain			47.3	26,629.3	278.0	5.9
FI Finland			5.5	41,102.2	19.6	3.5
FR France			66.8	37,241.2	239.6	3.6
GB United Kingdom			67.0	44,408.3	271.4	4.1
IE Ireland			4.9	72,812.5	23.8	4.8
IL Israel			8.8	28,842.9	216.8	24.8
IS Iceland			0.4	63,550.2	3.0	8.2
IT Italy			59.5	30,048.2	356.8	6.0
JP Japan			125.2	40,478.0	430.8	3.4
KR Republic of Korea			51.8	27,872.1	1,586.4	30.6
KW Kuwait	Y		4.3	24,573.0	1.8	0.4
LI Liechtenstein			0.0	129,204.8	0.4	10.3
LU Luxembourg			0.6	85,684.2	3.4	5.4
MC Monaco			0.0	176,737.5	6.0	162.2
NL Netherlands (Kingdom of the)			17.4	46,543.2	54.6	3.1
NO Norway			5.4	69,295.1	32.4	6.0
NZ New Zealand			5.0	32,414.7	39.8	7.9
QA Qatar			2.7	55,298.7	4.2	1.5
SE Sweden			10.4	49,370.5	81.2	7.8
SG Singapore			5.9	41,267.5	35.8	6.1
SM San Marino			0.0	43,155.3	0.4	11.8
US United States of America			335.5	48,868.4	2,800.8	8.3

[Annex II follows]

DIRECTIVES FOR UPDATING THE LISTS OF STATES
MEETING THE CRITERIA FOR REDUCTION OF CERTAIN PCT FEES³

The Assembly establishes in the following terms the directives referred to in the Schedule of Fees, it being understood that, in the light of experience, the Assembly may at any time modify these directives:

1. Five years after the establishment of the first list of States which meet the criteria referred to in items 5(a) and (b) of the Schedule of Fees, and every five years thereafter, the Director General shall prepare draft lists of States which appear to meet the criteria referred to in:

(i) item 5(a) of the Schedule of Fees according to the most recent 10-year average per capita gross domestic product figures from the United Nations and according to the most recent five-year average yearly PCT filing figures by the International Bureau, respectively, published at least two weeks prior to the first day of the session of the Assembly ~~in September/October~~ of that year that is part of the annual series of meetings of the Assemblies of the Member States of WIPO;

(ii) item 5(b) of the Schedule of Fees according to the most recent list of countries classified as least developed countries by the United Nations published at least two weeks prior to the first day of the session of the Assembly ~~in September/October of that year~~ referred to in paragraph (i), above;

and shall make those lists available to the PCT Contracting States and States entitled to observer status in the Assembly for comment before the end of that session of the Assembly.

2. Following the end of that session of the Assembly, the Director General shall establish new lists, taking into account any comments received. The revised lists shall become applicable on the first day of the calendar year subsequent to that session and shall be used to determine, in accordance with Rules 15.3, 45*bis*.2(c) and 57.3(d), the eligibility for the fee reduction under items 5(a) and (b), respectively, of the Schedule of Fees of any relevant fee payable. Any revised list shall be published in the Gazette.

3. Where any State is not included in a particular list but subsequently becomes eligible for inclusion in that list due to the publication, after the expiration of the period of two weeks prior to the first day of the session of the Assembly referred to in paragraph 1, above, of revised per capita gross domestic product figures by the United Nations or revised PCT filing figures by the International Bureau, or of a revised list of States that are being classified as least developed countries by the United Nations, that State may request the Director General to revise the relevant list of States so as to include that State in the relevant list. Any such revised list shall become applicable on a date to be specified by the Director General, that date being no more than three months from the date of receipt of the request. Any revised list shall be published in the Gazette.

[End of Annex II and of document]

³ Proposed additions and deletions are indicated, respectively, by underlining and striking through the text concerned.