

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

FEES PAYABLE UNDER THE PCT

Spain

The **Industrial Property Office of Spain** has notified new amounts of fees in **Peseta (ESP)**, as specified below. The new amounts are applicable as from January 1, 1992.

Fee for priority document:	ESP 2,280
National fee:	
Filing fee for patent:	ESP 7,570
Filing fee for utility model:	ESP 7,570

[Updating of PCT Gazette No. 16/1991, Annex C(ES), page 6594, and Summary (ES), page 6654]

United States of America

The **United States Patent and Trademark Office (USPTO)** has notified new amounts of fees in **US Dollars (USD)**, as specified below. The new amounts are applicable as from December 16, 1991.

Transmittal fee:	USD 190
Fee for priority document:	USD 12
Basic national fee (amounts in parentheses are applicable in case of filing by a "small entity"):	
– where an international preliminary examination fee has been paid on the international application to the USPTO:	USD 620 (310)
– where no international preliminary examination fee has been paid on the international application to the USPTO, but an international search fee has been paid for an international search by the USPTO:	USD 690 (345)
– where no international preliminary examination fee has been paid to and no international search report has been prepared by the USPTO:	USD 920 (460)
– where a search report on the international application has been prepared by the European Patent Office or the Japanese Patent Office:	USD 800 (400)
– where the international preliminary examination report prepared by the USPTO states that the criteria of novelty, inventive step (non-obviousness), and industrial applicability, as defined in PCT Article 33(1) to (4) have been satisfied for all the claims presented in the application entering the national phase:	USD 90 (45)

FEES PAYABLE UNDER THE PCT (Cont'd)**United States of America (cont'd)**

Additional fee for each claim in independent form in excess of 3:	USD 72 (36)
Additional fee for each claim, independent or dependent, in excess of 20:	USD 20 (10)
In addition, if the application contains a multiple dependent claim(s), per application:	USD 220 (110)
Surcharge for filing oath or declaration or paying basic national fee after the expiration of the time limit applicable under PCT Article 22 or 39(1):	USD 130 (65)
Processing fee for filing English language translation after the expiration of the time limit applicable under PCT Article 22 or 39(1):	USD 130

[Updating of PCT Gazette No. 16/1991, Annex C(US), page 6614, and Summary (US), pages 6678 and 6679]

INFORMATION ON CONTRACTING STATES**Spain**

The **Industrial Property Office of Spain** has notified a change in its telephone number, as follows:

Telephone: (341) 349 53 00

[Updating of PCT Gazette No. 01/1992, Annex B1(ES), page 30]

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

DELEGATION OF DUTIES OF RECEIVING OFFICE

By virtue of an agreement concluded by the World Intellectual Property Organization (WIPO) with the competent authorities in Moscow under PCT Rule 19.1(b), the International Bureau of WIPO acts, as from January 1, 1992, as receiving Office for applicants who are residents or nationals of those entities the territory of which was part of the territory of the former Soviet Union.

This agreement may be terminated with one month notice.

During the period of validity of this agreement, the national Office of the Russian Federation may, if it so wishes, also act as receiving Office in respect to any given international application filed by an applicant who is a resident or national of an entity the territory of which was part of the territory of the former Soviet Union.

Where the International Bureau of WIPO acts as receiving Office, the following arrangements apply:

1. The International Bureau, in its capacity as receiving Office, specifies, under the provisions of PCT Article 16(2), the All-Union Scientific Research Institute of State Patent Examination (VNIIGPE) as the International Searching Authority competent for the searching of international applications filed with it by residents or nationals of those entities the territory of which was part of the territory of the former Soviet Union.

Similarly, the International Bureau specifies, under the provisions of PCT Article 32(2), VNIIGPE as the International Preliminary Examining Authority competent for the international preliminary examination of such applications.

2. The fees payable to the International Bureau in its capacity as receiving Office for filing of such applications must be paid to it in Swiss francs--it being understood that the transmittal fee is 100 Swiss francs--provided that the search fee must be paid by the applicant direct to VNIIGPE.

In determining whether the fees payable to the receiving Office have been paid in time the International Bureau does not take into account the payment of the search fee.

With respect to Chapter II of the PCT, the handling fee must be paid in Swiss francs by the applicant direct to the International Bureau. If the said fee has not been paid as required, the International Bureau invites the applicant to pay the fee within one month from the date of the invitation. Should the applicant fail to comply with the invitation within that time limit, the International Bureau notifies VNIIGPE in its capacity as International Preliminary Examining Authority, and the latter will consider the demand for international preliminary examination as if it had not been submitted.

DESIGNATION (OR ELECTION) OF THE FORMER SOVIET UNION (SU) AND/OR OF ANY ENTITIES THE TERRITORY OF WHICH FORMED PART OF THE FORMER SOVIET UNION

Until further notice, the International Bureau:

(i) will accept the designation (or election) of the former Soviet Union (SU) in international applications and of any of the entities the territory of which formed part of the former Soviet Union, or any combination thereof, and

(ii) shall, under Article 20 of the PCT, transmit copies of the international applications containing such designations and any relevant correspondence only to the national Office of the Russian Federation.

It is to be noted that the legal effect of any of the acts referred to in (i) and (ii) above is not guaranteed by the International Bureau. It is still under examination.

FEES PAYABLE UNDER THE PCT**Finland, Japan**

Pursuant to PCT Rule 16.1(d), new amounts in **Finnish Markka (FIM)** and **Yen (JPY)**, as specified below, have been established for the search fee for an international search by the European Patent Office. The new amounts are applicable as from March 1, 1992.

Search fee (international search by the European Patent Office):	FIM 6,000	JPY 180,000
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[Updating of PCT Gazette No. 01/1992, Annex D(EP), page 121]

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

FEES PAYABLE UNDER THE PCT

Finland

Pursuant to PCT Rule 16.1(c), new amounts in **Finnish Marks (FIM)**, as specified below, have been established for the search fee for an international search by the Swedish Patent Office. The new amounts are applicable as from March 1, 1992.

Search fee (international search
by the Swedish Patent Office):

- | | |
|---|-----------|
| (i) if on an earlier application, the priority of which is claimed, a first office action has been issued by the Swedish Patent Office: | FIM 2,100 |
| (ii) if on an earlier application, the priority of which is claimed, a first office action has been issued by the Danish Patent Office, the National Board of Patents and Registration of Finland or the Norwegian Patent Office: | FIM 2,750 |
| (iii) in all other cases: | FIM 3,100 |

[Updating of PCT Gazette No. 01/1992, Annex D(SE), page 124]

INTERNATIONAL BUREAU

Non-Working Days

For the purpose of computing time limits under PCT Rule 80.5*, the days on which the International Bureau is **not open for business** are, for the period from February 1, 1992 to February 1, 1993, the following:

all Saturdays and Sundays and	September 10, 1992
April 17, 1992	December 24, 1992
April 20, 1992	December 25, 1992
May 28, 1992	December 31, 1992
June 8, 1992	January 1, 1993

It is important to note that the days indicated above concern only the International Bureau and not the national Offices and other international organizations.

* Rule 80.5 Expiration on a Non-Working Day

"If the expiration of any period during which any document or fee must reach a national Office or intergovernmental organization falls on a day on which such Office or organization is not open to the public for the purposes of the transaction of official business, or on which ordinary mail is not delivered in the locality in which such Office or organization is situated, the period shall expire on the next subsequent day on which neither of the said two circumstances exists."

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

The Patent Cooperation Treaty (PCT) in 1991

The World Intellectual Property Organization (WIPO), Geneva, announces the results of operations under the Patent Cooperation Treaty (PCT) in 1991.

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1. Since 1978, the PCT system has offered inventors and industry an advantageous route for filing international applications for obtaining patent protection abroad.
2. The steep growth in recent years of international applications filed under the PCT continued during 1991. WIPO received 22,247 international applications filed worldwide, which represents an increase over 1990 of 16.12%. These 22,247 international applications had, in the PCT Contracting States, the effect of about 500,000 national applications.
3. During 1991, Côte d'Ivoire, Czechoslovakia, Guinea and Mongolia became PCT Contracting States, bringing the number of Contracting States of the PCT to 49.
4. With effect from December 1, 1991, Monaco, which was already a PCT Contracting State, became bound by the European Patent Convention. Any designation of Monaco in an international application is considered as a designation of Monaco for the purposes of obtaining a European patent.
5. The 49 States party to the PCT on January 1, 1992, are the following:

In Africa: Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Congo, Côte d'Ivoire, Gabon, Guinea, Madagascar, Malawi, Mali, Mauritania, Senegal, Sudan, Togo

In the Americas: Barbados, Brazil, Canada, United States of America

In Asia and the Pacific: Australia, Democratic People's Republic of Korea, Japan, Mongolia, Republic of Korea, Sri Lanka

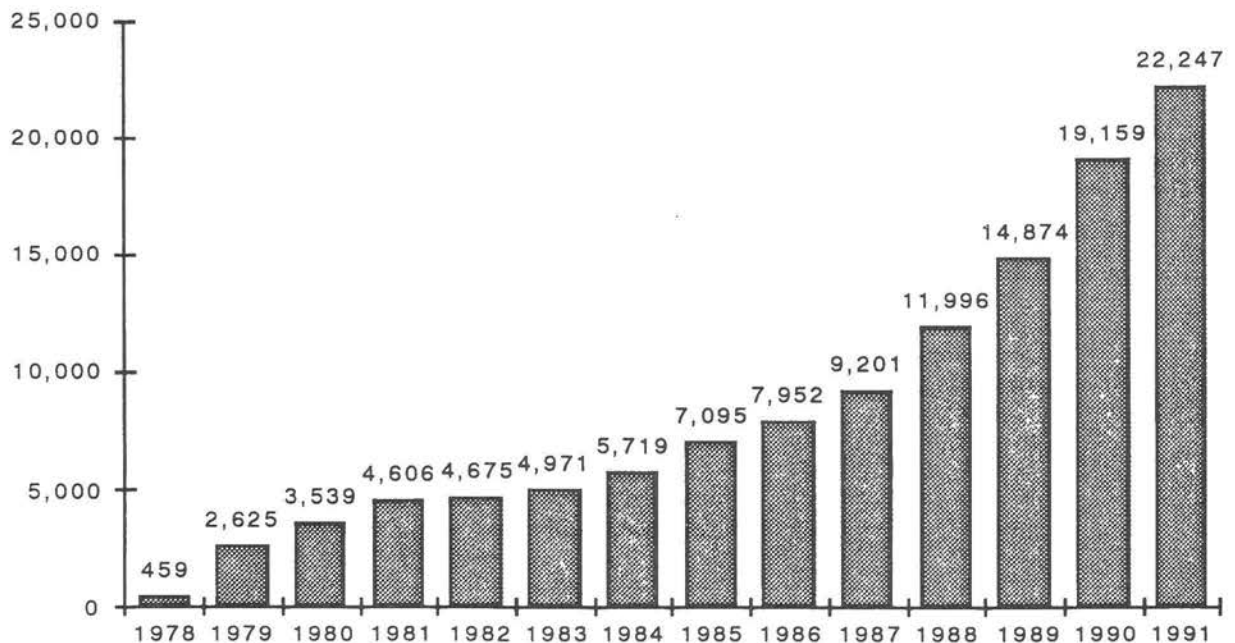
In Europe: Austria, Belgium, Bulgaria, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Italy, Liechtenstein, Luxembourg, Monaco, Netherlands, Norway, Poland, Romania, Russian Federation,¹ Spain, Sweden, Switzerland, United Kingdom.

6. The system of patent cooperation under the PCT means that, with the filing of only one application, and, initially, without translations of the application or payment of national fees, the PCT applicant can obtain the effect of regular national filings in all the States listed in the preceding paragraph.

7. Each international application is subjected to an international search which is carried out by one of the major patent offices of the world and which establishes the relevant prior art. If the applicant so wishes, he may request that the international application be subjected to an international preliminary examination carried out by one of those offices and obtain an opinion whether the claimed invention fulfils the main patentability criteria. With the international search report, and, where requested, the international preliminary examination report, the applicant is in a much better position to decide whether to initiate the national patent granting procedure before the various patent offices. It is only if the applicant is convinced, in the light of such reports, that it is worthwhile to seek patent protection in the various countries, that he will have to pay the national fees, the cost of translations and honoraria for patent agents abroad. This needs to be done only one and a half years later than under the traditional system (when the PCT is not used).

8. **Statistics.** The number of international applications received by the International Bureau of WIPO in 1991 amounted to 22,247 (1990: 19,159). The corresponding numbers in each calendar year since the beginning of PCT operations are as follows:

Number of international applications received since 1978



¹ It is not yet known which other States of the former Soviet Union are or will be bound by the PCT.

9. The following table shows the country of origin of international applications received by the International Bureau in 1991 and the corresponding percentages:

Country of origin ²	Applications received		Percentage	
	1991	(1990)	1991	(1990)
Australia	599	(610)	2.69	(3.18)
Austria	171	(159)	0.77	(0.83)
Belgium	135	(106)	0.61	(0.55)
Brazil	29	(25)	0.13	(0.13)
Bulgaria	3	(0)	0.01	(0.00)
Canada	472	(439)	2.12	(2.29)
Czechoslovakia	2	(0)	0.01	(0.00)
Democratic People's Republic of Korea	2	(1)	0.01	(0.01)
Denmark	414	(344)	1.86	(1.80)
Finland	400	(309)	1.80	(1.61)
France	1,094	(944)	4.92	(4.93)
Germany	2,867	(2,695)	12.89	(14.07)
Greece	18	(9)	0.08	(0.05)
Hungary	54	(83)	0.24	(0.43)
Italy	284	(237)	1.28	(1.24)
Japan	1,815	(1,716)	8.16	(8.96)
Luxembourg	12	(14)	0.05	(0.07)
Netherlands	321	(257)	1.44	(1.34)
Norway	170	(184)	0.76	(0.96)
Poland	15	(0)	0.07	(0.00)
Republic of Korea	34	(23)	0.15	(0.12)
Romania	2	(2)	0.01	(0.01)
Soviet Union ³	366	(264)	1.65	(1.38)
Spain	85	(56)	0.38	(0.29)
Sweden	949	(850)	4.27	(4.44)
Switzerland ⁴	412	(396)	1.85	(2.07)
United Kingdom ⁵	2,486	(2,126)	11.17	(11.10)
United States of America	9,036	(7,310)	40.62	(38.15)
TOTAL	<u>22,247</u>	<u>(19,159)</u>	<u>100.00</u>	<u>(100.00)</u>

10. In 1991, the average number of Contracting States designated per international application was 22.84 (1990: 20.01). The average number of designation fees payable per international application was 9.29 (1990: 8.27). This difference is due to the fact that in the case of the designation of several countries for a regional (European or OAPI) patent, only one designation fee is due and to the fact that each designation beyond the first ten for which designation fees are due is free of charge. The difference also reflects the fact that applicants eliminate a certain number of designations--made at no cost at the time of filing--by the time they pay the designation fees, a natural result of the PCT procedure. In 1991, a European patent was sought in 21,241 international applications, which

² 2,589 (=11,64%) of the international applications received were filed with the European Patent Office (EPO); they are included in the figures concerning the member State of the EPO of which the applicant is a national or resident.

³ Refers to international applications filed by nationals and residents of the former Soviet Union before December 25, 1991.

⁴ Includes figures for Liechtenstein, since the national Office of Switzerland also acts for nationals and residents of Liechtenstein.

⁵ Includes figures for Hong Kong and the Isle of Man, since the national Office of the United Kingdom also acts for residents of Hong Kong and the Isle of Man.

represents 95.47% (1990: 17,328 = 93.57%) of the total. The number of applications containing more than ten designations was 5,199 (23.37%); the applicants concerned thus benefited from the advantage according to which (as already stated) any designation in excess of ten is free of charge.

11. A copy of every international application is sent to the competent International Searching Authority (ISA). The number of such international applications sent to each ISA in 1991 was as follows:

ISA	Number of applications		Percentage	
	1991	(1990)	1991	(1990)
Australia	597	(610)	2.68	(3.18)
Austria	99	(119)	0.45	(0.62)
Japan	1,754	(1,668)	7.88	(8.72)
Soviet Union ⁶	371	(265)	1.67	(1.38)
Sweden	1,862	(1,631)	8.37	(8.51)
United States of America	6,004	(5,118)	26.99	(26.71)
European Patent Office	11,560	(9,748)	51.96	(50.88)
TOTAL	<u>22,247</u>	<u>(19,159)</u>	<u>100.00</u>	<u>(100.00)</u>

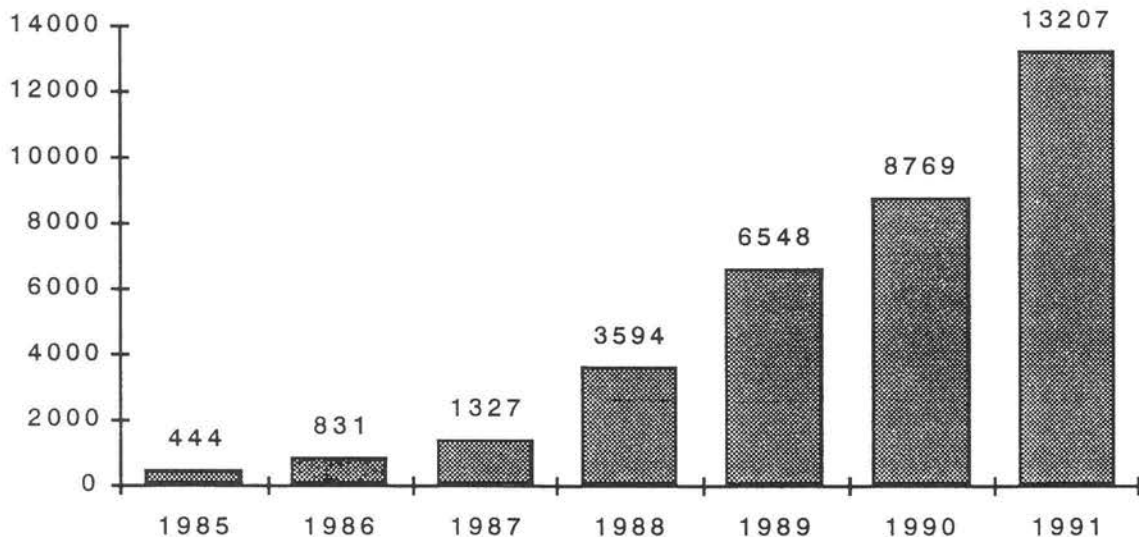
12. The languages of filing of the international applications received in 1991 by the International Bureau were as follows:

Language of filing	Number of applications		Percentage	
	1991	(1990)	1991	(1990)
Danish	142	(130)	0.64	(0.68)
Dutch	104	(83)	0.47	(0.43)
English	14,562	(12,097)	65.45	(63.14)
Finnish	176	(110)	0.79	(0.57)
French	1,185	(1,071)	5.33	(5.59)
German	3,272	(3,098)	14.71	(16.17)
Japanese	1,753	(1,667)	7.88	(8.70)
Norwegian	102	(104)	0.46	(0.55)
Russian	366	(265)	1.64	(1.38)
Spanish	82	(51)	0.37	(0.27)
Swedish	503	(483)	2.26	(2.52)
TOTAL	<u>22,247</u>	<u>(19,159)</u>	<u>100.00</u>	<u>(100.00)</u>

⁶ Refers to the Patent Office of the former Soviet Union.

13. The number of demands for international preliminary examination under Chapter II of the PCT in 1991 amounted to 13,207, which represents an increase over 1990 of 50.61%. The corresponding numbers of demands in each calendar year since 1985 are as follows:

Number of demands filed worldwide



These 13,207 demands were filed with the Offices indicated below, which act as International Preliminary Examining Authorities (IPEA):

IPEA	Number of demands		Percentage	
	1991	(1990)	1991	(1990)
Australia	460	(405)	3.48	(4.62)
Austria	35	(18)	0.26	(0.21)
Japan	268	(155)	2.03	(1.77)
Soviet Union ⁷	21	(10)	0.16	(0.11)
Sweden	969	(888)	7.34	(10.13)
United Kingdom	1,722	(1,193)	13.04	(13.60)
United States of America	4,954	(2,808)	37.51	(32.02)
European Patent Office	4,778	(3,292)	36.18	(37.54)
TOTAL	13,207	(8,769)	100.00	(100.00)

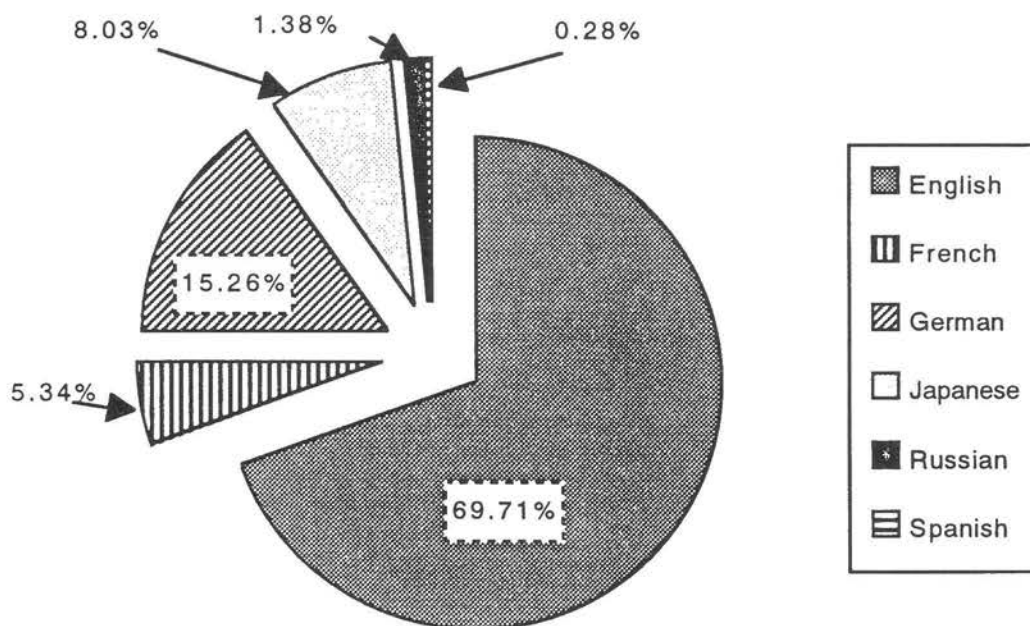
The growth of 50.61% in the number of demands for international preliminary examination in 1991 compared to 1990 can be attributed to the fact that most of the Contracting States can now be elected for international preliminary examination and that applicants are more and more aware of the advantages of the procedure under Chapter II of the PCT.

⁷ Refers to the Patent Office of the former Soviet Union.

14. **Publications under the PCT.** The fortnightly publication of the PCT Gazette, in separate English and French editions, was continued throughout 1991. In addition to a substantial volume of information of a general character, the PCT Gazette included entries relating to the 20,178 (1990: 16,103) international applications which were published in the form of PCT pamphlets (in English, French, German, Japanese, Russian or Spanish, depending on the language of filing) on the same day as the relevant issues of the PCT Gazette. Three special issues of the PCT Gazette were published, two with consolidated information of a general character and one with the text of the amendments to the PCT Regulations which were adopted by the Assembly of the PCT Union on July 12, 1991 (see paragraphs 17 to 20, below). The numbers of international applications published in 1991 as pamphlets in each of the above-mentioned languages are as follows:

Language of publication	Number of applications	Percentage
English	14,066	69.71
French	1,077	5.34
German	3,079	15.26
Japanese	1,620	8.03
Russian	278	1.38
Spanish	58	0.28
TOTAL	20,178	100.00

Languages of publication of international applications in 1991



15. The International Bureau continued, in cooperation with the European Patent Office, the production of CD-ROMs, each containing the full text and the drawings of about 500 published international applications as well as the corresponding bibliographic data in coded, searchable form. All international applications published in 1990 and 1991 are available in CD-ROM format (a total of 72 CD-ROMs).

16. **Meetings.** The PCT Committee for Administrative and Legal Matters (CAL) held the second part of its fourth session from March 11 to 15, 1991, and continued considering amendments to the PCT Regulations proposed by the International Bureau.

17. The Assembly of the PCT Union held its eighteenth (eleventh extraordinary) session from July 8 to 12, 1991, and adopted a large number of the amendments to the PCT Regulations which had been considered by the PCT CAL meetings in 1990 and 1991. The amendments will enter into force on July 1, 1992.

18. The amendments further streamline the procedures for filing and prosecuting an international patent application under the PCT, and they make the use of PCT procedures simpler, safer and more accessible to applicants. The amendments take into account 13 years of experience in the use and administration of the PCT.

19. Some of the more important amendments are the following:

- the nationality and residence requirements for access to PCT procedures are liberalized;
- filings of computer generated requests and demands, filings by facsimile machines and mailing by delivery services are accommodated to a greater extent than before;
- formality and language requirements, and the rectification of defects in relation to them, are simplified in relation to fee payments, signature of documents, and the language used in the request, drawings and abstract;
- the unity of invention requirement is modified as a step towards greater international harmonization of patent laws;
- improved means for searching certain biotechnology inventions are introduced, whereby applicants are required to furnish nucleotide and/or amino acid sequence listings complying with prescribed standards and/or in machine readable form;
- the international preliminary examination procedures are clarified so as to make it possible for the International Preliminary Examining Authority to commence examination earlier than at present;
- where a demand for international preliminary examination is filed prior to the expiration of the 19th month from the priority date, there is a notice published in the PCT Gazette of that fact, and the notice identifies those designated States bound by Chapter II of the Treaty which have not been elected; and
- it is possible for an applicant to have an agent or sub-agent specifically for the procedure before an International Searching Authority or International Preliminary Examining Authority.

20. By the time the above-mentioned amendments will come into force (July 1, 1992), the pre-printed forms, the PCT Applicant's Guide, the Administrative Instructions and, to the extent possible, the various guidelines for receiving Offices and International Searching and Preliminary Examining Authorities under the Treaty, will have been updated to take the amendments into account. Booklets, in several languages, containing the text of the Treaty and the Regulations as amended will be published in the coming months.

21. The Assembly of the PCT Union held its nineteenth session in September and October 1991. It dealt, among others, with a second progress report on the status and further development of a document-imaging and computer-assisted publication system for the processing of international applications under the PCT. It also adopted an 8% increase in the PCT fees effective as of January 1, 1992.

22. In 1991, officials of the International Bureau participated in meetings exclusively devoted to the use and advantages of the PCT in Belgium, Canada, Chile, China, Czechoslovakia, France, Germany, Hungary, Israel, Japan, Mexico, the Netherlands, New Zealand, the Philippines, Sweden, Switzerland, the United Kingdom and the United States of America.

23. **Ordering of PCT Publications.** The following publications may be purchased from WIPO, Publications Sales and Distribution Unit, P. O. Box 18, 1211 Geneva 20, Switzerland, Facsimile No. (41 22) 733 54 28:

- *PCT Applicants Guide*, a loose-leaf publication of more than 600 pages (available in English and French),

- *PCT pamphlets* containing the published international applications (in various languages, but containing the title and the abstract (also) in English),
 - *PCT Gazette* (available in English and French),
 - a *brochure* containing the *texts of the PCT and the PCT Regulations* (in Arabic, English, French, German, Italian, Portuguese, Russian or Spanish) and
 - a *brochure* containing the *text of the PCT Administrative Instructions* (in English or French).
24. The *CD-ROMs* containing published international applications may be ordered from the European Patent Office in Munich, Germany.
25. A leaflet entitled *Basic Facts about the Patent Cooperation Treaty (PCT)*, in English, French, German and Spanish, is available free of charge from the International Bureau of WIPO.

ADMINISTRATIVE INSTRUCTIONS UNDER THE PCT

ANNEX F - FORMS

Modification of Forms PCT/RO/101 (Request) and PCT/IPEA/401 (Demand)

The **Request Form** and **Demand Form** have been modified in order to take into account that as from December 25, 1991, the Soviet Union (SU) no longer exists. It follows from a communication that WIPO has received from the authorities of the Russian Federation that membership of the Soviet Union in the Patent Cooperation Treaty (PCT) is continued by the Russian Federation. Therefore, designations (and elections) relating to international applications filed after December 24, 1991, should be made by using the two letter code "RU" followed by the words "Russian Federation" (RU Russian Federation). Designations referring to the Soviet Union which are made in international applications filed after December 24, 1991 (and elections made with respect to such international applications) will be treated by the International Bureau as designations (elections) of the Russian Federation, whereas designations made in international applications filed before December 25, 1991 (and elections made with respect to such international applications) of the Soviet Union will continue to be treated as designations (elections) of the Soviet Union. In both cases, however, it is not yet known for which States of the former Soviet Union the designation (election) has effect.

The modifications concern Box V, Designations of States, on the "second sheet" of the Request and Box V, Election of States, on the "last sheet" of the Demand. The modified sheets are dated "February 1992". The modifications take immediate effect. The "Notes to the Request" dated "January 1992" and all the other sheets of the Forms dated "January 1991" remain valid until July 1, 1992, when completely revised versions of the Request and Demand Forms will be introduced.

The modified "second sheet" of the Request and the modified "last sheet" of the Demand are reproduced on the following pages.

Box No. IV AGENT (IF ANY) OR COMMON REPRESENTATIVE (IF ANY); ADDRESS FOR NOTIFICATIONS (IN CERTAIN CASES). A common representative may be appointed only if there are several applicants and if no agent is or has been appointed; the common representative must be one of the applicants.

The following person (includes, where applicable, a legal entity) is hereby/has been appointed as agent or common representative to act on behalf of the applicant(s) before the competent International Authorities:

Name *and* address, including postal code and country:

If the space below is used instead for an address for notifications, mark here:

Telephone number (including area code):

Telegraphic address:

Teleprinter address:

Box No. V DESIGNATION OF GROUPS OF STATES OR STATES⁽¹⁾; CHOICE OF CERTAIN KINDS OF PROTECTION OR TREATMENT. The following designations are hereby made (please mark the applicable check-boxes):

Regional Patent

EP European Patent⁽²⁾: AT Austria, BE Belgium, CH and LI Switzerland and Liechtenstein, DE Germany, DK Denmark, ES Spain, FR France, GB United Kingdom, GR Greece, IT Italy, LU Luxembourg, MC Monaco, NL Netherlands, SE Sweden, and any other State which is a Contracting State of the European Patent Convention and of the PCT

OA OAPI Patent: Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Congo, Côte d'Ivoire, Gabon, Guinea, Mali, Mauritania, Senegal, Togo, and any other State which is a Contracting State of OAPI and of the PCT; if other OAPI title desired, specify on dotted line⁽³⁾:

National Patent (if other kind of protection or treatment desired, specify on dotted line⁽³⁾)

- | | |
|--|---|
| <input type="checkbox"/> AT Austria ⁽³⁾ | <input type="checkbox"/> KR Republic of Korea ⁽³⁾ |
| <input type="checkbox"/> AU Australia ⁽³⁾ | <input type="checkbox"/> LK Sri Lanka |
| <input type="checkbox"/> BB Barbados | <input type="checkbox"/> LU Luxembourg ⁽³⁾ |
| <input type="checkbox"/> BG Bulgaria ⁽³⁾ | <input type="checkbox"/> MG Madagascar |
| <input type="checkbox"/> BR Brazil ⁽³⁾ | <input type="checkbox"/> MN Mongolia ⁽³⁾ |
| <input type="checkbox"/> CA Canada | <input type="checkbox"/> MW Malawi ⁽³⁾ |
| <input type="checkbox"/> CH and LI Switzerland and Liechtenstein | <input type="checkbox"/> NL Netherlands |
| <input type="checkbox"/> CS Czechoslovakia | <input type="checkbox"/> NO Norway |
| <input type="checkbox"/> DE Germany ⁽³⁾ | <input type="checkbox"/> PL Poland ⁽³⁾ |
| <input type="checkbox"/> DK Denmark | <input type="checkbox"/> RO Romania |
| <input type="checkbox"/> ES Spain ⁽³⁾ | <input type="checkbox"/> RU Russian Federation* |
| <input type="checkbox"/> FI Finland | <input type="checkbox"/> SD Sudan |
| <input type="checkbox"/> GB United Kingdom | <input type="checkbox"/> SE Sweden |
| <input type="checkbox"/> HU Hungary | <input type="checkbox"/> US United States of America ⁽³⁾ |
| <input type="checkbox"/> JP Japan ⁽³⁾ | |
| <input type="checkbox"/> KP Democratic People's Republic of Korea ⁽³⁾ | |

Space reserved for designating States (for the purposes of a national patent) which have become party to the PCT after the issuance of this sheet:

* It is not yet known for which States of the former Soviet Union any designation of the Russian Federation has effect.

(1) The applicant's choice of the order of designations may be indicated by marking the check-boxes with sequential arabic numerals (see also the "Notes to Box No. V").
 (2) The selection of particular States for a European patent can be made upon entering the national (regional) phase before the European Patent Office (see also the "Notes to Box No. V").
 (3) If another kind of protection or a title of addition or, in the United States of America, treatment as a continuation or a continuation-in-part is desired, specify according to the instructions given in the "Notes to Box No. V."

Box No. IV DECLARATION CONCERNING AMENDMENTS OF THE CLAIMS

Applicant wishes international preliminary examination to start promptly on the basis of the claims

- as filed (amendments under Article 19 have not been made and will not be made)
- as amended under Article 19
- as specified on the attached sheet

Box No. V ELECTION OF STATES

The following designated States are hereby elected (please mark the applicable check-boxes):

Regional Patent

- EP European Patent:** AT Austria, BE Belgium, DE Germany, DK Denmark, FR France, GB United Kingdom, IT Italy, LU Luxembourg, MC Monaco, NL Netherlands, SE Sweden, and any other State which is a Contracting State of the European Patent Convention and of the PCT (including Chapter II thereof).
- OA OAPI Patent:** Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Congo, Côte d'Ivoire, Gabon, Guinea, Mali, Mauritania, Senegal, Togo, and any other State which is a Contracting State of the OAPI and of the PCT (including Chapter II thereof).

National Patent

- | | |
|---|--|
| <input type="checkbox"/> AT Austria | <input type="checkbox"/> KR Republic of Korea |
| <input type="checkbox"/> AU Australia | <input type="checkbox"/> LK Sri Lanka |
| <input type="checkbox"/> BB Barbados | <input type="checkbox"/> LU Luxembourg |
| <input type="checkbox"/> BG Bulgaria | <input type="checkbox"/> MG Madagascar |
| <input type="checkbox"/> BR Brazil | <input type="checkbox"/> MN Mongolia |
| <input type="checkbox"/> CA Canada | <input type="checkbox"/> MW Malawi |
| <input type="checkbox"/> CS Czechoslovakia | <input type="checkbox"/> NL Netherlands |
| <input type="checkbox"/> DE Germany | <input type="checkbox"/> NO Norway |
| <input type="checkbox"/> DK Denmark | <input type="checkbox"/> PL Poland |
| <input type="checkbox"/> FI Finland | <input type="checkbox"/> RO Romania |
| <input type="checkbox"/> GB United Kingdom | <input type="checkbox"/> RU Russian Federation* |
| <input type="checkbox"/> HU Hungary | <input type="checkbox"/> SD Sudan |
| <input type="checkbox"/> JP Japan | <input type="checkbox"/> SE Sweden |
| <input type="checkbox"/> KP Democratic People's Republic of Korea | <input type="checkbox"/> US United States of America |

Space reserved for electing States which have become party to the PCT (including Chapter II thereof) or bound by Chapter II of the PCT after the issuance of this sheet:

.....

* It is not yet known for which States of the former Soviet Union any election of the Russian Federation has effect.

Box No. VI SIGNATURE

(The following is to be filled in by the International Preliminary Examining Authority)

1. Date of actual receipt of DEMAND:
2. Adjusted date of receipt of DEMAND due to CORRECTIONS under Rule 60.I(b):

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

**STATISTICS RELATING TO RECORD COPIES
RECEIVED BY THE INTERNATIONAL BUREAU
IN 1991**

GUIDANCE NOTE CONCERNING STATISTICS

Certain codes are used in the statistical tables to indicate the identity of receiving Offices and of designated States. These codes have been taken from the "Code for Identifying States, Territories and Intergovernmental Organizations" contained in Annex B* to the Administrative Instructions under the Patent Cooperation Treaty (PCT). The codes and the States to which they refer are set out at the foot of this note.

In the case of receiving Offices, the codes indicate the Contracting State of the Patent Cooperation Treaty (PCT) for which the receiving Office is the national industrial property office except in the case of the European Patent Office which acts (as well as the national industrial property office) as receiving Office for the Contracting States of the PCT which are also party to the European Patent Convention. In the statistical table relating to the designations of States, the figures shown relate to the indications as to designations contained in the record copies as received by the International Bureau of WIPO and notified by it to the designated Offices. Against the code of each designated State, the abbreviations "NAT" and/or "EPO" are indicated. The abbreviations mean that the figures shown in the table for the designated State relate to national patents ("NAT") and/or European patents ("EPO").

AT	Austria	KP	Democratic People's Republic of Korea
AU	Australia	KR	Republic of Korea
BB	Barbados	LK	Sri Lanka
BE	Belgium	LU	Luxembourg
BG	Bulgaria	MC	Monaco
BR	Brazil	MG	Madagascar
CA	Canada	MN	Mongolia
CH	Switzerland	MW	Malawi
CS	Czechoslovakia	NL	Netherlands
DE	Germany	NO	Norway
DK	Denmark	RO	Romania
ES	Spain	SD	Sudan
FI	Finland	SE	Sweden
FR	France	SU ⁺	Soviet Union
GB	United Kingdom	US	United States of America
GR	Greece		
HU	Hungary	EP	European Patent Office (EPO)
IT	Italy	OA	African Intellectual Property Organization (OAPI)
JP	Japan		

* Published on pages 5348 and 5349 of PCT Gazette No. 22/1989.

+ Relates to the Patent Office of the former Soviet Union as receiving Office and to the former Soviet Union as designated State.

DESIGNATIONS OF STATES BROKEN DOWN ACCORDING TO RECEIVING OFFICES

(From 1 January 1991 to 31 December 1991)

Designated States		Receiving Offices														
		AT	AU	BE	BG	BR	CA	CH	CS	DE	DK	ES	FI	FR	GB	GR
AT	EPO	133	576	92	2	29	468	270	2	956	387	78	379	916	2275	14
	NAT	27	279	20		6	166	26		51	176	39	131	33	567	4
AU	NAT	57	544	48	2	11	381	118	2	223	295	54	233	360	1465	14
BB	NAT	28	297	30	1	6	212	40	1	75	198	42	117	84	644	6
BE	EPO	132	576	92	2	29	468	270	2	954	387	78	379	917	2275	14
BG	NAT	40	304	36		6	221	53	1	106	220	43	148	109	681	9
BR	NAT	47	347	46	2	8	307	89	1	206	241	53	158	218	858	12
CA	NAT	76	517	71	2	16	337	169	2	338	315	56	304	676	1646	12
CH	EPO	132	576	92	2	29	468	270	2	957	387	78	379	915	2275	14
	NAT	26	281	20		7	164	24		51	175	39	132	35	564	4
CS	NAT	17	90	17			79	22		38	97	4	76	38	268	1
DE	EPO	134	576	92	2	29	468	270	2	955	387	78	379	918	2276	14
	NAT	28	298	21		9	175	41		60	178	45	167	39	585	4
DK	EPO	132	576	92	2	29	468	269	2	954	386	78	379	915	2274	14
	NAT	27	284	21		6	166	27		52	175	36	135	37	575	4
ES	EPO	132	576	92	2	29	468	269	2	954	387	78	379	917	2274	14
	NAT	26	283	20		5	168	26		51	177	13	131	34	560	4
FI	NAT	55	325	44	2	7	276	91	1	173	311	49	173	193	927	9
FR	EPO	134	576	92	2	29	468	270	2	957	387	78	379	914	2276	14
GB	EPO	134	576	92	2	29	468	270	2	957	387	78	379	920	2275	14
	NAT	26	316	20		7	180	27		55	177	45	167	35	940	4
GR	EPO	132	576	92	2	29	468	269	2	953	387	78	379	913	2274	14
	NAT	2	10				11				2	4			20	
HU	NAT	56	312	41	2	6	243	74	1	173	252	44	168	174	800	9
IT	EPO	132	576	92	2	29	468	270	2	957	387	78	379	919	2275	14
JP	NAT	109	549	81	2	20	436	234	2	875	354	65	322	849	2089	13
KP	NAT	30	303	34	1	7	239	48	1	98	215	45	132	100	673	7
KR	NAT	48	379	45	1	9	326	99	1	276	269	48	178	290	1082	9
LK	NAT	28	301	31	1	6	214	42	1	75	199	41	117	87	654	7
LU	EPO	130	576	92	2	29	468	270	2	954	387	78	379	912	2275	14
	NAT	25	279	18		6	159	25		47	173	35	124	32	562	4
MC	NAT	30	296	32	1	6	209	47	1	78	206	41	127	112	656	8
MG	NAT	28	297	30	1	6	212	40	1	76	199	43	116	88	659	7
MN	NAT	3	88	12			63	7		10	34		63	12	207	2
MW	NAT	28	296	30	1	6	212	40	1	75	199	42	116	83	646	7
NL	EPO	132	576	92	2	29	468	270	2	956	387	78	379	918	2275	14
	NAT	26	282	18		6	169	25		50	176	42	131	33	566	4
NO	NAT	54	326	48	1	7	301	91	1	170	298	54	287	238	981	8
PL	NAT	43	288	34	2	6	204	54	1	90	235	38	158	104	692	7
RO	NAT	36	304	36	2	6	227	58	1	105	227	44	145	123	692	8
SD	NAT	29	296	31	1	6	212	40	1	76	198	42	116	89	646	7
SE	EPO	134	576	92	2	29	468	270	2	955	387	78	379	917	2275	14
	NAT	26	285	20	1	6	171	29	1	54	176	44	157	35	567	4
SU+	NAT	66	340	54	2	13	280	94	2	255	253	53	228	262	870	11
US	NAT	126	586	90	2	26	184	260	2	949	343	74	350	954	2230	12
OA*	OAPI	325	3848	416	26	78	2665	572	13	949	2496	559	1482	1495	8333	117
Sub-Total National		1273	9982	1099	30	242	6904	2060	26	5011	6743	1317	5107	5556	25572	221
Sub-Total European		1723	7488	1196	26	377	6084	3507	26	12419	5030	1014	4927	11911	29574	182
Total of Designations		3321	21318	2711	82	697	15653	6139	65	18379	14269	2890	11516	18962	63479	520

* The figures appearing on this line correspond to the total number of designations of the following countries, for which OAPI acts as designated Office: Benin, Burkina Faso, Cameroon, the Central African Republic, Chad, Congo, Côte d'Ivoire, Gabon, Guinea, Mali, Mauritania, Senegal and Togo.

+ Any designation of "SU" has effect in the Russian Federation. It is not yet known whether any such designation has effect in other States of the former Soviet Union.

DESIGNATIONS OF STATES BROKEN DOWN ACCORDING TO RECEIVING OFFICES

(From 1 January 1991 to 31 December 1991)

Receiving Offices													Total of Designations	Designated States	
HU	IT	JP	KP	KR	NL	NO	PL	RO	SE	SU+	US	EP			
53	104	1234	2	34	232	167	14	2	888	299	8674	2487	20767	EPO	AT
9	23	32		1	49	82	2		246	13	1017	123	3122	NAT	
31	63	365		23	152	117	5		557	94	5273	879	11366	NAT	AU
10	47	39		7	103	84	4		288	1	1661	311	4336	NAT	BB
53	104	1255	2	34	232	167	14	2	888	299	8704	2488	20817	EPO	BE
24	53	44	1	7	109	89	5		312	75	1761	379	4836	NAT	BG
20	55	94		14	116	115	6		413	84	2975	719	7204	NAT	BR
37	77	678		21	183	142	7	1	691	151	7234	1342	15101	NAT	CA
53	104	1285	2	34	232	167	14	2	888	299	8694	2495	20845	EPO	CH
8	23	37	2	2	49	82	2		251	26	1056	125	3185	NAT	
7	11	16			58	10			108	7	536	232	1732	NAT	CS
53	104	1583	2	34	232	167	14	2	888	299	8768	2497	21223	EPO	DE
8	25	107	2	4	51	86	3		286	73	1264	155	3714	NAT	
53	104	1234	2	34	232	167	14	2	888	299	8680	2485	20764	EPO	DK
8	25	36	2	2	53	86	2		266	35	1199	128	3387	NAT	
53	104	1250	2	34	232	167	14	2	888	299	8706	2496	20820	EPO	ES
8	23	40	1	2	49	82	2		248	7	1071	118	3149	NAT	
31	54	107		10	143	124	7		627	138	2709	719	7305	NAT	FI
53	104	1541	2	34	232	167	14	2	888	299	8768	2498	21180	EPO	FR
53	104	1546	2	34	232	167	14	2	888	299	8766	2498	21188	EPO	GB
7	23	93	2	2	51	88	2		269	53	1225	137	3951	NAT	
53	104	1210	2	34	232	167	14	2	887	221	8621	2493	20608	EPO	GR
5						4	3		8		46	1	116	NAT	
8	55	83	1	8	126	93	6		379	85	2100	642	5941	NAT	HU
53	104	1413	2	34	232	167	14	2	888	299	8742	2498	21028	EPO	IT
39	86	532	2	32	222	141	10	2	808	309	8470	2210	18863	NAT	JP
14	52			2	113	87	4		301	3	1691	341	4541	NAT	KP
31	61	821		2	143	108	8		432	118	4311	954	10049	NAT	KR
12	48	41		7	105	85	4		288	2	1660	313	4369	NAT	LK
53	104	1215	2	34	232	167	14	2	888	299	8668	2483	20729	EPO	LU
8	23	31		2	49	79	5		243	8	981	125	3043	NAT	
13	51	59		7	103	83	4		297	3	1679	309	4458	NAT	MC
11	48	36		7	103	85	4		287	1	1647	311	4343	NAT	MG
	10	4			46	7			41	1	428	96	1134	NAT	MN
12	47	36		7	103	85	4		287	1	1641	308	4313	NAT	MW
53	104	1307	2	34	231	167	14	2	888	299	8731	2497	20907	EPO	NL
8	23	39	1	2	52	82	2		247	21	1070	126	3201	NAT	
26	55	114	1	11	135	104	6		578	55	2807	678	7435	NAT	NO
30	48	44	1		111	83	4		286	10	1331	438	4342	NAT	PL
28	52	44		8	111	91	5		313	26	1860	390	4942	NAT	RO
11	49	37		7	105	85	4		288	3	1658	311	4348	NAT	SD
53	104	1290	2	34	232	167	14	2	888	299	8711	2493	20867	EPO	SE
8	23	40	2	2	49	90	2		262	34	1086	129	3303	NAT	
35	63	129	1	19	131	108	8	1	406	24	2509	743	6960	NAT	SU+
50	103	1763	2	34	227	162	11	2	827	291	1069	2353	13082	NAT	US
143	624	520		104	1339	1118	52		3419	52	20410	4095	55250	OAPI	OA*
552	1404	5541	21	252	3200	2849	141	6	11140	1752	67025	16145	181171	Sub-Total National	
689	1352	17363	26	442	3015	2171	182	26	11543	3809	113233	32408	271743	Sub-Total European	
1384	3380	23424	47	798	7554	6138	375	32	26102	5613	200668	52648	508164	Total of Designations	

RECORD COPIES RECEIVED BROKEN DOWN
ACCORDING TO RECEIVING OFFICES AND LANGUAGES OF FILING

(From 1 January 1991 to 31 December 1991)

Receiving Offices	Languages of Filing											Total Number of Record Copies Received
	Danish	Dutch	English	Finnish	French	German	Japanese	Norwegian	Russian	Spanish	Swedish	
AT						135						135
AU			599									599
BE		10	23		59							92
BG			2									2
BR			29									29
CA			466		6							472
CH					54	223						277
CS			1			1						2
DE						1009						1009
DK	142		253									395
ES										82		82
FI			218	176							6	400
FR					1030							1030
GB			2341									2341
GR			12			2						14
HU			39			15						54
IT			102		3							105
JP			66				1749					1815
KP			2									2
KR			30				4					34
NL		94	153		3	1						251
NO			68					102				170
PL			14			1						15
RO			2									2
SE			432								497	929
SU+									366			366
US			9037									9037
EP			673		30	1885						2588
Total Number of Record Copies Received	142	104	14562	176	1185	3272	1753	102	366	82	503	22247

Note: During the period reported upon in this table, the International Bureau received no record copies from the Patent Offices of Luxembourg, Madagascar, Malawi, Monaco, Mongolia and Sudan acting as receiving Offices. Neither did the International Bureau receive any international application in its capacity of a receiving Office acting for Barbados, Sri Lanka and OAPI.

+ Refers to international applications filed by nationals and residents of the former Soviet Union before December 25, 1991.

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

RECEIVING OFFICES DESIGNATED (OR ELECTED) OFFICES

Brazil, Japan, Republic of Korea, United States of America
Certain New PCT Rules Not Applicable

During its eighteenth session, held in Geneva from July 8 to 12, 1991, the Assembly of the International Patent Cooperation Union adopted a number of amendments to the Regulations under the Patent Cooperation Treaty (PCT). Those amendments, which will enter into force on July 1, 1992, include the addition of new Rules 20.4(c), 26.3ter(a), 49.5(c-bis) and (k), and 76.5(iv). The amended Regulations provide, for each of those Rules, that if, on July 12, 1991, the Rule is not compatible with the law applied by the Office concerned, the Rule shall not apply to that Office for as long as it continues not to be compatible with that law, provided that the said Office informs the International Bureau accordingly by December 31, 1991 (see new Rules 20.4(d), 26.3ter(b), 49.5(l) and 76.6).

Several national Offices have informed the International Bureau of such incompatibility, and the following Rules are therefore not applicable, for as long as the incompatibility continues, to the national Offices of the following countries:

- **Rules 20.4(c) and 26.3ter(a)** (concerning the language of filing of different elements of international applications): **Brazil, Japan, United States of America;**
- **Rule 49.5(c-bis)** (concerning the furnishing of a translation of the claims as filed and/or as amended): **Brazil, Japan, Republic of Korea, United States of America;**
- **Rule 49.5(k)** (concerning the translation of the title of the invention): **Republic of Korea, United States of America;**
- **Rule 76.5(iv)** (concerning the furnishing of a translation of amendments under Article 19): **Japan, Republic of Korea.**

MICROBIOLOGICAL INVENTIONS INSTITUTIONS WITH WHICH DEPOSITS MAY BE MADE

Belgium

Pursuant to PCT Rule 13bis.7(b), the **Industrial Property Office of Belgium** has notified the International Bureau of a depositary institution with which deposits of microorganisms may be made for the purposes of patent procedure before that Office, as follows:

Belgian Coordinated Collections of Microorganisms (BCCM)*

Headquarters:

- Prime Minister's Services
Science Policy Office
Rue de la Science 8
B-1040 Brussels
Belgium

* Depositary institution having acquired the status of international depositary authority under the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure.

**MICROBIOLOGICAL INVENTIONS
INSTITUTIONS WITH WHICH DEPOSITS MAY BE MADE (Cont'd)**

Collections to which deposits must be addressed:

- Institut d'Hygiène et d'Epidémiologie-Mycologie
Rue J. Wytzman 14
B-1050 Brussels
Belgium
- Universiteit Gent
Laboratorium voor Moleculaire Biologie-Plasmidencollectie
K.L. Ledeganckstraat 35
B-9000 Ghent
Belgium
- Universiteit Gent
Laboratorium voor Microbiologie-Bacteriënverzameling
K.L. Ledeganckstraat 35
B-9000 Ghent
Belgium
- Mycothèque de l'Université Catholique de Louvain
Place Croix du Sud 3
B-1348 Louvain-la-Neuve
Belgium

[Updating of PCT Gazette No. 02/1992, Annex M2, page 142]

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

FEES PAYABLE UNDER THE PCT

United Kingdom

The **United Kingdom Patent Office** has notified new amounts of fees in **Pounds Sterling (GBP)**, as specified below. The new amounts are applicable as from May 11, 1992.

Fee for priority document:	GBP	22
National fee:		
Filing fee:	GBP	25
Preliminary examination and search fee:	GBP	130

[Updating of PCT Gazette No. 01/1992, Annex C(GB), page 98, and Summary (GB), page 158]

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

INFORMATION ON CONTRACTING STATES DESIGNATED (OR ELECTED) OFFICES

Russian Federation and the former Soviet Union

No State of the former Soviet Union other than the Russian Federation is, at present, a PCT Contracting State. Consequently,

(i) nationals or residents of any State of the former Soviet Union other than the Russian Federation cannot file international applications,

(ii) among the States of the former Soviet Union, only the Russian Federation can be designated (or elected) in international applications filed after 24 December 1991.

The **Committee for Inventions and Trademarks** is the national Office of the Russian Federation and thus the designated or elected Office for international applications designating or electing that State.

The International Bureau of WIPO treats designations referring to the Soviet Union which are made in international applications filed after December 24, 1991 (and elections made with respect to such international applications) as designations (elections) of the Russian Federation, whereas designations made in international applications filed before December 25, 1991, (and elections made with respect to such international applications) of the Soviet Union are referred to in communications and publications of the International Bureau as designations (elections) of the Soviet Union. In both cases, however, it is not yet known whether the designation (election) applies to States of the former Soviet Union other than the Russian Federation.

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

CONTRACTING STATES

States Party to the Patent Cooperation Treaty (PCT)

On May 1, 1992, **Ireland** deposited its instrument of ratification of the Patent Cooperation Treaty (PCT). Ireland will become the 50th Contracting State of the PCT on August 1, 1992.

Consequently, as from August 1, 1992, nationals and residents of Ireland will be entitled to file international applications under the PCT and, from the same date, it will be possible for residents and nationals of all Contracting States to designate and elect Ireland in international applications.

The designation of Ireland has the effect of an indication of the wish to obtain a **European** patent for Ireland under the European Patent Convention (PCT Article 45(2)); a **national** (Irish) patent **cannot** be obtained through an international application.

[Updating of PCT Gazette No. 01/1992, Annex A, page 5]

INFORMATION ON CONTRACTING STATES

Denmark

The **Danish Patent Office** has notified the International Bureau that, according to the new Danish legislation on utility models which enters into force on July 1, 1992, a utility model may be sought in international applications designating Denmark instead of, or in addition to, a national patent.

[Updating of PCT Gazette No. 01/1992, Annex B1(DK), page 28]

Hungary

The **National Office of Inventions of Hungary** has notified the International Bureau that, according to the new Hungarian legislation on utility models which entered into force on January 1, 1992, a utility model may be sought in international applications designating Hungary instead of a national patent.

[Updating of PCT Gazette No. 01/1992, Annex B1(HU), page 40]

INFORMATION ON CONTRACTING STATES (Cont'd)**United Kingdom**

The **United Kingdom Patent Office** has notified the International Bureau that it is prepared to receive documents sent by facsimile machine. Detailed provisions have been set out by the United Kingdom Patent Office for applicants wishing to make use of the facsimile filing facilities. Details can be obtained from the Office at the following address: Fax Filing, Cardiff Road, Newport, Gwent NP9 1RH; tel. (0633) 81 44 50.

Facsimile machine: (0633) 81 44 44

Means of receipt of documents
under PCT Rule 92.4: Facsimile machine

[Updating of PCT Gazette No. 01/1992, Annex B1(GB), page 36]

**MICROBIOLOGICAL INVENTIONS
INSTITUTIONS WITH WHICH DEPOSITS MAY BE MADE****Spain**

Pursuant to PCT Rule 13bis.7(b), the **Industrial Property Office of Spain** has notified the International Bureau of the depositary institution with which deposits of microorganisms may be made as from May 31, 1992, for the purposes of patent procedure before that Office as follows:

Colección Española de Cultivos Tipo (CECT)*
Microbiology Department
Biological Science Faculty
46100 Burjasot (Valencia)
Spain

* This depositary institution has acquired the status of international depositary authority under the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure.

[Updating of PCT Gazette No. 01/1992, Annex M2, page 142]

PCT TEXT BROCHURE

The International Bureau recalls that on July 1, 1992, a large number of changes to the PCT Regulations will enter into force, streamlining the procedures for filing and processing international applications and making the PCT system simpler, safer and more accessible to applicants. The amendments take into account 13 years of experience in the use and administration of the PCT. 122 Rules were amended (out of a total of 331 Rules presently in force) and 18 new Rules were adopted.

A new brochure with the consolidated text of the PCT and the Regulations as in force on July 1, 1992, has been published by the International Bureau in English, French and Arabic. Brochures with official texts in German, Italian, Portuguese, Russian and Spanish are under preparation. The text brochures can be ordered from WIPO. The price is Swiss francs 15 at WIPO headquarters or by surface mail, or 20 (24) by airmail in Europe (elsewhere). The WIPO publication number should be indicated in the order: No. 274(E) for English, No. 274(F) for French and No. 274(A) for Arabic.

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

INFORMATION ON CONTRACTING STATES

Germany

The International Bureau has been informed by the Government of the **Federal Republic of Germany** that, as a result of the entry into force of legislation in respect of industrial property rights in the united Germany, the designation of the Federal Republic of Germany ("DE") in any international application has effect in all of Germany, including the territory of the former German Democratic Republic, irrespective of the filing date of the international application.

This notice supersedes the notice published in Section IV of the PCT Gazette No. 23/1990, page 7343, and repeated regularly in Section I of the Gazette, in respect of the designation of "DE" in any international application whose international filing date was prior to October 3, 1990.

FEES PAYABLE UNDER THE PCT

Australia

The **Australian Patent Office** has notified new amounts of fees in **Australian Dollars (AUD)**, as specified below. The new amounts are applicable as from July 1, 1992.

Search fee:	AUD 585
Additional search fee:	AUD 525
Preliminary examination fee:	AUD 295
Additional preliminary examination fee:	AUD 295
National fee:	
Filing fee for patent:	AUD 165
Filing fee for petty patent:	AUD 80

[Updating of PCT Gazette No. 01/1992, Annex C(AU), page 85, Annex D(AU), page 120, Annex E(AU), page 128, and Summary (AU), page 145]

International Bureau, Republic of Korea

Pursuant to PCT Rule 16.1(c), new amounts in **Swiss Francs (CHF)** and in **Won (KRW)**, as specified below, have been established for the search fee for international search by the **Australian Patent Office**. The new amounts are applicable as from July 1, 1992.

Search fee (international search by the Australian Patent Office):	CHF 650	KRW 402,000
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[Updating of PCT Gazette No. 01/1992, Annex D(AU), page 120]

FEES PAYABLE UNDER THE PCT (Cont'd)**African Intellectual Property Organization (OAPI)**

The African Intellectual Property Organization has notified new amounts of fees in CFA Francs BEAC (XAF), as follows:

National fee:	(for patent)	(for utility model)
Filing fee:	XAF 115,000	XAF 50,000
Fee for priority claims, per priority:	XAF 32,000	XAF 32,000
Publication fee:	XAF 187,000	XAF 125,000
Claim fee for each claim in excess of 10:	XAF 23,000	none
Fee for acceptance of description and drawings:		
for 11 to 20 sheets:	XAF 56,000	XAF 56,000
for 21 to 30 sheets:	XAF 101,000	XAF 101,000
for 31 to 40 sheets:	XAF 146,000	XAF 146,000
after 40 for each set of 10 sheets:	XAF 45,000	XAF 45,000
Annual fee for the second year:	XAF 112,000	none
Annual fee for the third year:	XAF 112,000	none

[Updating of PCT Gazette No. 01/1992, Summary (OA), page 172]

INTERNATIONAL SEARCHING AUTHORITIES**INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES****Agreement between the Government of Australia and
the World Intellectual Property Organization *****Amendment to Annex C**

The Australian Patent Office has notified the International Bureau, pursuant to Article 11(3) of the Agreement, of amendments to Annex C of the Agreement. The new amounts of fees are applicable as from July 1, 1992. The amended Annex reads as follows:

“ANNEX C**FEES AND CHARGES FOR INTERNATIONAL SEARCH
AND PRELIMINARY EXAMINATION****Part I: Schedule of Fees and Charges**

Kind of fee or charge	Amount Australian Dollars
Search fee (Rule 16.1(a)):	585
Additional fee (Rule 40.2(a)):	525
Preliminary examination fee (Rule 58.1(b)):	295
Additional fee (Rule 68.3(a)):	295
Providing copies of cited documents (Rules 44.3(b) and 71.2 (b))	15 per document

Part II: [No change]”

* Published in PCT Gazette No. 26/1978, pages 4551 to 4556, No. 13/1988, page 2839, No. 12/1989, page 3164, No. 03/1990, page 669, and No. 09/1991, page 3500.

**RECEIVING OFFICES
DESIGNATED (OR ELECTED) OFFICES**

United Kingdom

The **United Kingdom Patent Office** has notified the International Bureau of modifications of its requirements as to who can act as an agent before it as receiving and designated (or elected) Office and as to whether a copy of the international application is required, as follows:

Who can act as an agent?	Any individual, partnership or body corporate who resides in or has a place of business in the United Kingdom, the Isle of Man, or another member state of the EEC. A list of registered patent agents may be obtained from The Registrar, c/o The Chartered Institute of Patent Agents, Staple Inn Buildings, High Holborn, London WC1V 7PZ.
Is a copy of the international application required?	A copy is required only if the applicant expressly requests early commencement of the national phase at a time when the United Kingdom Patent Office has not been sent a copy of the international application from the International Bureau under PCT Article 20. The copy must then be furnished when making the request for early commencement of the national phase and may be a copy of the international application as published in accordance with the Treaty in a language other than that in which it was originally filed.

[Updating of PCT Gazette No. 01/1992, Annex C (GB), page 98, and Summary (GB), page 159]

REFERENCES TO DEPOSITS OF MICROORGANISMS

United Kingdom

Pursuant to PCT Rule 13bis.7, the **United Kingdom Patent Office** has notified the International Bureau of amendments to the entry concerning the United Kingdom in the table concerning references to deposits of microorganisms, contained in Annex M1, published in PCT Gazette No. 01/1992, as follows:

Time (if any) earlier than 16 months from the priority date by which applicant must furnish the indications prescribed in Rule 13bis.3(a)(i) to (iii):	Where applicant requests publication earlier than 16 months from the priority date, not later than that request.
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Another amendment consists in adding to the general note relating to the deposits of microorganisms the following sentence:

“The applicant may give notice in writing to the International Bureau before technical preparations for publication of the international application are completed, that a sample should be made available only to an expert.”

[Updating of PCT Gazette No. 01/1992, Annex M1, page 140]

ADMINISTRATIVE INSTRUCTIONS UNDER THE PCT

Annex F - Forms

New Forms PCT/RO/101 (Request) and PCT/IPEA/401 (Demand)

A new **Request Form** and a new **Demand Form** have been established which take into account the numerous amendments to the PCT Regulations which enter into force as from July 1, 1992, as well as some changes in national legislation of certain PCT member States.

The new forms are dated "July 1992" and are applicable as from July 1, 1992. It is strongly recommended that only the new forms be used as from that date. Copies can be obtained free of charge from receiving Offices. Alternatively, photocopies may be prepared from the following pages or from master copies which will be included specially for that purpose in the PCT Applicant's Guide.

The new Forms (not paginated so as to enable convenient reproduction) and accompanying Notes appear on the following pages.

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

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.)

This person is also inventor.

Telephone No.

Facsimile No.

Teleprinter No.

State (i.e. country) of nationality:

State (i.e. country) of residence:

This person is applicant for the purposes of:

all designated States

all designated States except the United States of America

the United States of America only

the States indicated in the Supplemental Box

Box No. III FURTHER APPLICANTS AND/OR (FURTHER) INVENTORS

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.)

This person is:

applicant only

applicant and inventor

inventor only (If this check-box is marked, do not fill in below.)

State (i.e. country) of nationality:

State (i.e. country) of residence:

This person is applicant for the purposes of:

all designated States

all designated States except the United States of America

the United States of America only

the States indicated in the Supplemental Box

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.)

This person is:

applicant only

applicant and inventor

inventor only (If this check-box is marked, do not fill in below.)

State (i.e. country) of nationality:

State (i.e. country) of residence:

This person is applicant for the purposes of:

all designated States

all designated States except the United States of America

the United States of America only

the States indicated in the Supplemental Box

Further applicants and/or (further) inventors are indicated on a continuation sheet.

Continuation of Box No. III FURTHER APPLICANTS AND/OR (FURTHER) INVENTORS

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

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.)*

This person is:

- applicant only
- applicant and inventor
- inventor only *(If this check-box is marked, do not fill in below.)*

State *(i.e. country)* of nationality:

State *(i.e. country)* of residence:

This person is applicant for the purposes of:

- all designated States
- all designated States except the United States of America
- the United States of America only
- the States indicated in the Supplemental Box

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.)*

This person is:

- applicant only
- applicant and inventor
- inventor only *(If this check-box is marked, do not fill in below.)*

State *(i.e. country)* of nationality:

State *(i.e. country)* of residence:

This person is applicant for the purposes of:

- all designated States
- all designated States except the United States of America
- the United States of America only
- the States indicated in the Supplemental Box

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.)*

This person is:

- applicant only
- applicant and inventor
- inventor only *(If this check-box is marked, do not fill in below.)*

State *(i.e. country)* of nationality:

State *(i.e. country)* of residence:

This person is applicant for the purposes of:

- all designated States
- all designated States except the United States of America
- the United States of America only
- the States indicated in the Supplemental Box

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.)*

This person is:

- applicant only
- applicant and inventor
- inventor only *(If this check-box is marked, do not fill in below.)*

State *(i.e. country)* of nationality:

State *(i.e. country)* of residence:

This person is applicant for the purposes of:

- all designated States
- all designated States except the United States of America
- the United States of America only
- the States indicated in the Supplemental Box

Further applicants and/or (further) inventors are indicated on another 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: agent 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.

Fascimile No.

Teleprinter No.

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.V DESIGNATION OF STATES

The following designations are hereby made under Rule 4.9(a) *(mark the applicable check-boxes; at least one must be marked):*

Regional Patent

EP European Patent: AT Austria, BE Belgium, CH and LI Switzerland and Liechtenstein, DE Germany, DK Denmark, ES Spain, FR France, GB United Kingdom, GR Greece, IT Italy, LU Luxembourg, MC Monaco, NL Netherlands, SE Sweden, and any other State which is a Contracting State of the European Patent Convention and of the PCT

OA OAPI Patent: Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Congo, Côte d'Ivoire, Gabon, Guinea, Mali, Mauritania, Senegal, 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"/> AT Austria | <input type="checkbox"/> MG Madagascar |
| <input type="checkbox"/> AU Australia | <input type="checkbox"/> MN Mongolia |
| <input type="checkbox"/> BB Barbados | <input type="checkbox"/> MW Malawi |
| <input type="checkbox"/> BG Bulgaria | <input type="checkbox"/> NL Netherlands |
| <input type="checkbox"/> BR Brazil | <input type="checkbox"/> NO Norway |
| <input type="checkbox"/> CA Canada | <input type="checkbox"/> PL Poland |
| <input type="checkbox"/> CH and LI Switzerland and Liechtenstein | <input type="checkbox"/> RO Romania |
| <input type="checkbox"/> CS Czechoslovakia | <input type="checkbox"/> RU Russian Federation |
| <input type="checkbox"/> DE Germany | <input type="checkbox"/> SD Sudan |
| <input type="checkbox"/> DK Denmark | <input type="checkbox"/> SE Sweden |
| <input type="checkbox"/> ES Spain | <input type="checkbox"/> US United States of America |
| <input type="checkbox"/> FI Finland | |
| <input type="checkbox"/> GB United Kingdom | |
| <input type="checkbox"/> HU Hungary | |
| <input type="checkbox"/> JP Japan | |
| <input type="checkbox"/> KP Democratic People's Republic of Korea | |
| | <input type="checkbox"/> |
| <input type="checkbox"/> KR Republic of Korea | <input type="checkbox"/> |
| <input type="checkbox"/> LK Sri Lanka | <input type="checkbox"/> |
| <input type="checkbox"/> LU Luxembourg | <input type="checkbox"/> |

Check-boxes reserved for designating States (for the purposes of a national patent) which have become party to the PCT after issuance of this sheet:

In addition to the designations made above, the applicant also makes under Rule 4.9(b) all designations which would be permitted under the PCT except the designation(s) of _____ .
 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 of a designation consists of the filing of a notice specifying that designation and the payment of the designation and confirmation fees. Confirmation must reach the receiving Office within the 15-month time limit.)*

Supplemental Box *If the Supplemental Box is not used, this sheet need not be included in the request.**Use this box in the following cases:***1.** *If, in any of the Boxes, 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 three persons are involved 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;**(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 or States (and/or, where applicable, 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 or States (and/or, where applicable, 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," "certificate of addition," or "inventor's 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 there are more than three 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 the applicant claims, in respect of any designated Office, the benefits of provisions of the national law concerning non-prejudicial disclosures or exceptions to lack of novelty:**in such case, write "Statement Concerning Non-Prejudicial Disclosures or Exceptions to Lack of Novelty" and furnish that statement below.*

Box No. VI PRIORITY CLAIM

Further priority claims are indicated in the Supplemental Box

The priority of the following earlier application(s) is hereby claimed:

Country (in which, or for which, the application was filed)	Filing Date (day/month/year)	Application No.	Office of filing (only for regional or international application)
(1)			
(2)			
(3)			

Mark the following check-box if the certified copy of the earlier application is to be issued by the Office which for the purposes of the present international application is the receiving Office (a fee may be required):

The receiving Office is hereby requested to transmit to the International Bureau a certified copy of the earlier application(s) identified above at item(s) : _____

Box No. VII EARLIER SEARCH

Fill in where a search (international, international-type or other) by the International Searching Authority has already been carried out or requested and the Authority is now requested to base the international search, to the extent possible, on the results of that earlier search. Identify such search or request either by reference to the relevant application (or the translation thereof) or by reference to the search request:

Country (or regional Office): _____ Date (day/month/year): _____ Number: _____

Box No. VIII CHECK LIST

<p>This international application contains the following number of sheets:</p> <p>1. request : _____ sheets</p> <p>2. description : _____ sheets</p> <p>3. claims : _____ sheets</p> <p>4. abstract : _____ sheets</p> <p>5. drawings : _____ sheets</p> <p>Total : _____ sheets</p>	<p>This international application is accompanied by the item(s) marked below:</p> <p>1. <input type="checkbox"/> separate signed power of attorney</p> <p>2. <input type="checkbox"/> copy of general power of attorney</p> <p>3. <input type="checkbox"/> statement explaining lack of signature</p> <p>4. <input type="checkbox"/> priority document(s) (specify): _____</p> <p>5. <input type="checkbox"/> fee calculation sheet</p> <p>6. <input type="checkbox"/> separate indications concerning deposited microorganisms</p> <p>7. <input type="checkbox"/> nucleotide and/or amino acid sequence listing</p> <p>8. <input type="checkbox"/> other (specify): _____</p>
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Figure No. _____ of the drawings (if any) should accompany the abstract when it is published.

Box No. IX SIGNATURE OF APPLICANT OR AGENT

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 request).

For receiving Office use only	
1. Date of actual receipt of the purported international application:	2. Drawings: <input type="checkbox"/> received : <input type="checkbox"/> not received:
3. Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application:	
4. Date of timely receipt of the required corrections under PCT Article 11(2):	
5. International Searching Authority specified by the applicant: ISA /	6. <input type="checkbox"/> Transmittal of search copy delayed until search fee is paid

For International Bureau use only
Date of receipt of the record copy by the International Bureau:

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 publication of WIPO. The Notes are based on the requirements of the Patent Cooperation Treaty (PCT) and of 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)).

WHERE TO FILE THE INTERNATIONAL APPLICATION

In order to be accorded an international filing date, the international application (request, description, claims, abstract and drawings, if any) must be filed with a competent receiving Office, i.e., the receiving Office of a PCT Contracting State of which the applicant or, if there are two or more applicants, at least one of them, is a national or resident.

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. (Rule 11.6(f) and Sections 109 and 327).

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 national or resident of a PCT Contracting State (Article 9 and Rule 18). If the United States of America is designated, all of the inventors must be named as applicants (as well as inventors) 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.

Nationality (Rules 4.5(a) and (b), 4.6(a) and 18.2): For each applicant, the nationality must be indicated by the name of the State (i.e., 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. This indication is not required where a person is inventor only.

Residence (Rules 4.5(a) and (c), 4.6(a) and 18.1): Each applicant's State (i.e., country) of residence must be indicated. 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. An indication of 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 country codes appearing in WIPO Standard ST.3 and in the PCT Applicant's Guide may be used.

Different Applicants for Different Designated States (Rules 4.5(d) and 18.3): 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, 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 as applicants for the United States of America and the check-box "This person is also inventor" (in Box No. II) 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, 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 (e.g., 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

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". 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.

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(s) wish(es) correspondence to be sent to a different address in such a case, that address may 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" in Box No. IV 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 and usual 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 below: Precautionary Designation of States Subject to Confirmation.*

European patent (EP): Note that **Belgium, France, Greece, Italy and Monaco** (and also **Ireland as from August 1, 1992**), can only be designated for the purposes of a European patent and not for the purposes of national protection.

If a European patent is desired for only some of the Contracting States of the European Patent Convention, the names of those States for which no European patent is desired may be deleted by striking them out. However, it is recommended that the applicant always designate all possible Contracting States of the European Patent Convention. A decision to proceed with only some of those designations need not be made until entry into the European regional phase before the European Patent Office, at which stage the European designation fees must be paid to that Office.

Where a European patent is desired, only one PCT designation fee must be paid for the EP designation, independently of how many States are designated for a European patent.

Where any of the States party to the European Patent Convention and the PCT are designated both for the purposes of a European patent and for the purposes of national protection, the applicant must pay one designation fee in respect of the European patent and as many designation fees as there are national patents or other titles of protection sought (Rule 15.1(ii) and Section 210).

OAPI patent (OA): 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 national title other than a patent is desired, write after the name of that country on the dotted line the name of the title; that is, "petty patent" (available in Australia), "utility model" (available in Brazil, Denmark, Germany, Hungary, Japan, Poland, the Republic of Korea, Spain, OAPI) or "inventor's certificate" (available in Bulgaria, the Democratic People's Republic of Korea, Mongolia). Where, in Denmark or in Germany (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 Australia, Austria, Bulgaria, Germany, Malawi, Mongolia, Spain), "certificate of addition" (available in Luxembourg, OAPI), "inventor's certificate of addition" (available in Bulgaria, Mongolia), "continuation" or "continuation-in-part" (both available in the 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 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).

For the designation of a State which has become party to the PCT after the date appearing on the bottom of the second sheet of the request form, the name of the State, preferably preceded by the two-letter country code, must be given 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 indicating the applicant's wish to make, 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 country code of that State should be indicated in the space provided. 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 among 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 ten 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 (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 *country* in which the earlier application from which priority is claimed was filed (or, where the earlier application is a regional or an international application, at least one country for which it was filed), the *date* on which it was filed and the number it was assigned. If the country and the date are not indicated, the priority claim will, for the purposes of the procedure under the Treaty, be considered not to have been made.

If the earlier application is a regional or an international application, the Office with which that application was filed must also be indicated.

If the application *number* of the earlier application is not indicated in the request but is furnished by the applicant to the receiving Office or to the International Bureau prior to the expiration of the 16th month from the priority date, it is considered by all designated States to have been furnished in time.

Certified Copy of Earlier Application (Priority Document) (Rule 17.1): The priority document must be submitted to the receiving Office or to the International Bureau before the expiration of 16 months from the priority date or, where an early start of the national phase is requested, not later than at the time such request is made.

Where the priority document is issued by the receiving Office, the applicant may, instead of submitting the priority document, request the receiving Office to prepare and transmit the priority document to the International Bureau. Such request may be made by marking the applicable check-box and by identifying the document. *Attention:* where such a request is made, the applicant must pay to the receiving Office the applicable *fee for priority document*; otherwise, it will be considered not to have been made.

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 parenthesis by indicating it by two-digit Arabic numerals for each of the number of the day, the number of the month and the last two numbers of the year, in that order and separated by periods, e.g., "05 March 1992 (05.03.92)".

BOX No. VII

Earlier Search (Rule 4.11): The earlier search, if any, must be identified in such a manner that the International Searching Authority (ISA) can retrieve the results easily. Where those results can be used, the Authority may refund the international search fee or a portion thereof.

BOX No. VIII

The number of sheets of the various parts of the international application must be given in the check list in Arabic numerals and the applicable check-boxes must be marked.

Check-box No. 6: Separate Indications Concerning Deposited Microorganisms (Rule 13*bis* and Section 209): Mark this check-box where a filled-in Form PCT/RO/134 or any separate sheet containing indications concerning deposited microorganisms is filed with the international application. This is not the case if Japan is designated: in that case, Form PCT/RO/134 or any other sheet containing the said indications must be included as one of the sheets of the description.

Check-box No. 7: Nucleotide and/or Amino Acid Sequence Listing (Rule 5.2): Where the description of the international application contains disclosure of a nucleotide and/or amino acid sequence, and a copy of the sequence listing is required in machine readable form by the ISA, the applicant may furnish the listing in machine readable form to the receiving Office with the international application. If this is the case, check-box No. 7 must be marked.

BOX No. IX

Signature (Rules 4.1(d), 4.15, 90.3(a) and 90.4(a)): 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 where a separate power of attorney appointing the agent, or a copy of a general power of attorney already in the possession of the receiving Office is furnished. If the power is not attached to the request, the receiving Office will invite the applicant to furnish it subsequently.

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 the other applicant(s). The statement must satisfy the receiving Office. If such a statement is filed with the international application, check-box No. 3 in Box No. VIII 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 at the top of that Box.

Statement Concerning Non-Prejudicial Disclosures or Exceptions to Lack of Novelty: Such a statement, unless contained in the description, may be given in this Box. It should comply with the national law applicable by the designated Office to which the statement is addressed.

GENERAL REMARKS

Language of Correspondence (Section 104): Any letter from the applicant to the receiving Office must be in the same language as the international application to which it relates; 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 or the International Preliminary Examining Authority (IPEA) must be in the same language as the international application to which it relates if this language is English, French, German, Japanese, Russian or Spanish; otherwise, it must be in English (Rule 92.2). However, the ISA or the IPEA 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, the claim(s), the abstract, the drawings (if any). All sheets constituting the international application must be numbered in consecutive Arabic numerals with three separate series of numbers: the first applying to the request, the second applying to the part consisting of the description, the claim(s) and the abstract, and the third applying to the drawings. The numbers 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).

Indication of the Applicant's or Agent's File Reference on the Sheets of the Description, Claim(s), Abstract and Drawings (if any) (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.

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 in relation to the international application, indicate the name of the Authority which is chosen to carry out the international search.)

3. INTERNATIONAL FEE

Basic Fee

The international application contains _____ sheets.

first 30 sheets b₁

_____ x _____ = b₂
remaining sheets additional amount

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

Designation Fee

_____ x _____ = D
number of designations amount of designation fee

(If that total exceeds the figure which corresponds to the amount of the designation fee multiplied by ten, enter the latter figure in box D.)

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

4. FEE FOR PRIORITY DOCUMENT P

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

The designation fee is not paid at this time.

MODE OF PAYMENT

- | | | |
|---|---|---|
| <input type="checkbox"/> authorization to charge
deposit account (see below) | <input type="checkbox"/> bank draft | <input type="checkbox"/> coupons |
| <input type="checkbox"/> cheque | <input type="checkbox"/> cash | <input type="checkbox"/> other (specify): |
| <input type="checkbox"/> postal money order | <input type="checkbox"/> revenue stamps | |

DEPOSIT ACCOUNT AUTHORIZATION

- The RO/ _____ is hereby authorized to charge the total fees indicated above to my deposit account.
- is hereby authorized to charge any deficiency or credit any overpayment in the total fees indicated above to my deposit account.
- is hereby authorized to charge the fee for preparation and transmittal of the priority document to the International Bureau of WIPO to my deposit account.

Deposit Account Number _____

Date (day/month/year) _____

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 of 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 and the due date of the transmittal fee, if any, are fixed by the receiving Office. Information about this fee is contained in Annex C of Volume I of the PCT Applicant's Guide.

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 Annex D of Volume I of the PCT Applicant's Guide.

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 Annex C of Volume I of the PCT Applicant's Guide.

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 (DESIGNATION OF STATES) 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 Annex C of Volume I of the PCT Applicant's Guide.

Box B: Basic Fee. The amount of the basic fee depends on the total number of sheets of the international application, which appears under "Total" in Box No. VIII (CHECK LIST) of the request. 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. 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 "EP" or the designation "OA", irrespective of the number of States for which a European patent or an OAPI patent, respectively, is sought.

Where any States are designated twice (once for the purposes of a European patent and once for the purposes of national protection), the applicant must pay one designation fee in respect of the European patent and a further designation fee in

respect of each national patent or other title of protection sought (Rule 15.1(ii) and Section 210).

Any designation, in excess of ten designations for which the fee is due, is free of charge. Therefore, the maximum amount to be indicated in box D is ten times the amount of the designation fee. If, for example, 15 national patents and two regional patents (a European patent and an OAPI patent) are sought (totalling 17 designations), the figure to be indicated in box D is ten 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 12 months 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 Annex C of the PCT Applicant's Guide).

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 designations fees: Where the time limit of 12 months 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 DEPOSIT ACCOUNT

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

DEMAND

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.

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.:
State (<i>i.e. country</i>) of nationality:		State (<i>i.e. 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>i.e. country</i>) of nationality:		State (<i>i.e. 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>i.e. country</i>) of nationality:		State (<i>i.e. 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 is not to 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 *(i.e. country)* of nationality:State *(i.e. 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 *(i.e. country)* of nationality:State *(i.e. 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 *(i.e. country)* of nationality:State *(i.e. 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 *(i.e. country)* of nationality:State *(i.e. 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: *(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.:

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 STATEMENT CONCERNING AMENDMENTS

The applicant wishes the International Preliminary Examining Authority*

(i) to start the international preliminary examination on the basis of the international application as originally filed.

(ii) to take into account the amendments under Article 34 of

the description (amendments attached)

the claims (amendments attached)

the drawings (amendments attached)

(iii) to take into account any amendments of the claims under Article 19 filed with the International Bureau (a copy is attached).

(iv) to disregard any amendments of the claims made under Article 19 and to consider them as reversed.

(v) to postpone the start of the international preliminary examination until the expiration of 20 months from the priority date unless that 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.

Box No. V ELECTION OF STATES

The following designated States are hereby elected:

(i) all eligible States *(i.e., all designated States bound by Chapter II of the PCT)*.

(ii) the States indicated in the Supplemental Box No. V.

Supplemental Box No. V ELECTION OF STATES

*This Supplemental Box is to be used only if the check-box "(ii)" in Box No. V is marked.
If this Supplemental Box is not used, do not include this sheet in the demand.*

The following designated States are hereby elected :

Regional Patent

- EP European Patent:** AT Austria, BE Belgium, DE Germany, DK Denmark, FR France, GB United Kingdom, IT Italy, LU Luxembourg, MC Monaco, NL Netherlands, SE Sweden, and any other State which is a Contracting State of the European Patent Convention and of the PCT (including Chapter II thereof)

- OA OAPI Patent:** Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Congo, Côte d'Ivoire, Gabon, Guinea, Mali, Mauritania, Senegal, Togo, and any other State which is a member State of OAPI and a Contracting State of the PCT (including Chapter II thereof)

National Patent

- | | |
|---|--|
| <input type="checkbox"/> AT Austria | <input type="checkbox"/> NL Netherlands |
| <input type="checkbox"/> AU Australia | <input type="checkbox"/> NO Norway |
| <input type="checkbox"/> BB Barbados | <input type="checkbox"/> PL Poland |
| <input type="checkbox"/> BG Bulgaria | <input type="checkbox"/> RO Romania |
| <input type="checkbox"/> BR Brazil | <input type="checkbox"/> RU Russian Federation |
| <input type="checkbox"/> CA Canada | <input type="checkbox"/> SD Sudan |
| <input type="checkbox"/> CS Czechoslovakia | <input type="checkbox"/> SE Sweden |
| <input type="checkbox"/> DE Germany | <input type="checkbox"/> US United States of America |
| <input type="checkbox"/> DK Denmark | |
| <input type="checkbox"/> FI Finland | |
| <input type="checkbox"/> GB United Kingdom | |
| <input type="checkbox"/> HU Hungary | |
| <input type="checkbox"/> JP Japan | |
| <input type="checkbox"/> KP Democratic People's Republic of Korea | |
| <input type="checkbox"/> KR Republic of Korea | |
| <input type="checkbox"/> LK Sri Lanka | |
| <input type="checkbox"/> LU Luxembourg | |
| <input type="checkbox"/> MG Madagascar | |
| <input type="checkbox"/> MN Mongolia | |
| <input type="checkbox"/> MW Malawi | |

Check-boxes reserved for electing States (for the purposes of a national patent) which have become party to the PCT (including Chapter II thereof) or bound by Chapter II of the PCT after issuance of this sheet:

-
-
-
-

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 publication of WIPO. 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" and "Rule" refer to the provisions of the PCT and the PCT Regulations, respectively.

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

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 Annex C of Volume I of the PCT Applicant's Guide). 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.

When Must the Demand be Filed (Article 39(1))? The demand must be filed before the expiration of *19 months from the priority date* in order to extend the time limit for entering the national phase of the PCT procedure from 20 to 30 months from the priority date. *Warning:* if the demand is filed later, the national phase will not be delayed in respect of the elected States and the applicant must enter the national phase before the expiration of the time limit applicable under Article 22 (which is usually 20 months from the priority date).

In Which Language Must the Demand be Filed (Rule 55.1)? The demand must be filed in the language of the international application if that language is English, French, German, Japanese or Russian; otherwise, the demand must be filed in English.

What is the Language of Correspondence (Rules 66.9 and 92.2, 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, the IPEA may authorize the use of another language for letters which do not contain or relate to amendments of the international application, whereas amendments and letters relating thereto must be in the language of publication. 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.

Which Fees Must be Paid and When (Rules 57 and 58)? At the time the demand is submitted, the applicant must pay the preliminary examination and handling fees. For details concerning the payment of those fees, see the Fee Calculation 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 parenthesis by indicating it by two-digit Arabic numerals for each of the number of the day, the number of the month and the last two numbers of the year, in that order, and separated by periods, e.g., "05 March 1992 (05.03.92)". 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 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 (Form PCT/RO/101). 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 for different designated States are indicated in the request part of the international application, indicate 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).

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.

In the latter case 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).

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(s) wish(es) 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 check-box (i) where the international preliminary examination should start on the basis of the international application as filed.

Mark check-boxes (ii) and/or (iii) where amendments are to be taken into account and 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 (iv) 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 that these amendments be taken into account for the purpose of international preliminary examination when the latter starts (Rule 53.9(a)(ii)).

Mark check-box (v) 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 Box No. IV.

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 (i.e., States whose designations have been made under Rule 4.9(a) or confirmed under Rule 4.9(c)) can be elected. They are the "eligible States".

If all eligible States are to be elected, mark check-box "(i)". Do *not* fill in the Supplemental Box No. V and discard the supplemental sheet.

If only some of the eligible States are to be elected, mark check-box "(ii)" and fill in the Supplemental Box No. V (see below).

SUPPLEMENTAL BOX No. V

This Supplemental Box is to be filled in *only* where check-box "(ii)" is marked in Box No. V.

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. If a *European patent* is desired and only some of the Contracting States of the European Patent Convention have been designated for a European patent in the international application, the names of the other such States must be crossed out. *Greece, Spain, Switzerland and Liechtenstein* are not listed in this Box because they are not bound by Chapter II and cannot be elected; however, if they have been designated in the international application for a European patent together with at least one other Contracting State of the European Patent Convention bound by Chapter II, the time limit under Article 39(1) applies also with respect to those States if the other State has been elected before the expiration of 19 months from the priority date.

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.

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 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 for international preliminary examination

International application No.	For International Preliminary Examining Authority use only									
Applicant's or agent's file reference	Date stamp of the IPEA									
Applicant										
<p>Calculation of prescribed fees</p> <p>1. Preliminary examination fee <input style="width: 150px;" type="text"/> P</p> <p>2. Handling fee <input style="width: 150px;" type="text"/> H</p> <p>3. Total of prescribed fees Add the amounts entered at P and H and enter total in the TOTAL box</p> <div style="border: 1px solid black; width: 150px; height: 20px; margin-left: 100px; text-align: center; padding: 2px;">TOTAL</div>										
<p>Mode of Payment</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><input type="checkbox"/> authorization to charge deposit account (see below)</td> <td style="width: 50%;"><input type="checkbox"/> cash</td> </tr> <tr> <td><input type="checkbox"/> cheque</td> <td><input type="checkbox"/> revenue stamps</td> </tr> <tr> <td><input type="checkbox"/> postal money order</td> <td><input type="checkbox"/> coupons</td> </tr> <tr> <td><input type="checkbox"/> bank draft</td> <td><input type="checkbox"/> other (specify):</td> </tr> </table>			<input type="checkbox"/> authorization to charge deposit account (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 (specify):
<input type="checkbox"/> authorization to charge deposit account (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 (specify):									
<p>Deposit Account Authorization</p> <p>The IPEA/ _____ <input type="checkbox"/> is hereby authorized to charge the total fees indicated above to my deposit account.</p> <p><input type="checkbox"/> is hereby authorized to charge any deficiency or credit any overpayment in the total fees indicated above to my deposit account.</p>										
Deposit Account Number	Date (day/month/year)	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 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 International Preliminary Examining Authority (Rule 58.1);
- (ii) the handling fee for the benefit of the International Bureau (Rule 57).

Both fees must be paid to the International Preliminary Examining Authority upon filing the demand in a currency acceptable to that Authority.

Information about the amount of those fees or about equivalent amounts in other currencies can be obtained from the International Preliminary Examining Authority or the receiving Office. This information is also published in Annex E of Volume I of the PCT Applicant's Guide 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.

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

MODE OF PAYMENT

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

**AUTHORIZATION TO CHARGE
DEPOSIT ACCOUNT**

The International Preliminary Examining Authority will not charge fees to deposit accounts unless the deposit account authorization is signed and indicates the deposit account number.

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

ANNOUNCEMENT ON THE PROVISIONAL ORDER OF INVENTIONS, INDUSTRIAL DESIGNS AND TRADEMARKS PROTECTION IN THE REPUBLIC OF LATVIA

Pending the entry into force of the new Patent, Trademark and Industrial Design Laws, the Council of Ministers of the Republic of Latvia has adopted by Executive Order on February 28, 1992, Regulations on the Provisional Order of Inventions, Industrial Designs and Trademarks Protection in the Republic of Latvia. The contents of the Regulations and their main consequences are summarized below. (In this announcement, the expression "trademark" covers both a mark for a product and a service mark.)

I. Applications for Industrial Property Rights Filed with the Patent Office of Latvia

(1) Pending the enactment of Latvian legislation on patents, industrial designs and trademarks, it is possible to file **applications** for the grant of patents for invention, for the grant of industrial design patents and for the registration of trademarks with the Patent Office of the Republic of Latvia, which will provide each application with an official attestation indicating the date of receipt of the application; the date so accorded will, once the new legislation comes into effect, be regarded as the filing date of the application.

(2) When Latvia becomes party to the Patent Cooperation Treaty ("PCT") and the Madrid Agreement Concerning the International Registration of Marks ("Madrid Agreement"), it will be possible to ask for protection in that country under those treaties. For the time being, however, the only way to ask for protection in Latvia is through **direct filings** with the Patent Office of the Republic of Latvia.

(3) The applications referred to in paragraph (1), above, may claim the **priority** of earlier applications (including international patent applications under the PCT) filed with effect for a State party to the Paris Convention for the Protection of Industrial Property. An application claiming priority must be filed with the Patent Office of the Republic of Latvia within 12 months (in the case of an invention) or six months (in the case of a trademark or industrial design) of the filing date of the earlier application. Such priority right is governed by the provisions of Article 4 of the Paris Convention for the Protection of Industrial Property.

II. Applications for Industrial Property Rights Previously Filed with the Patent Office of the Former Soviet Union and Industrial Property Rights Granted by the Patent Office of the Former Soviet Union

(4) The **applicant** of an application for a patent, an inventor's certificate, an industrial design patent or certificate or a trademark certificate filed with the Patent Office of the former Soviet Union before December 31, 1991, may file with the Patent Office of the Republic of Latvia up to December 31, 1992, a request for the grant of a patent for invention or an industrial design patent or for a trademark registration, provided that

(i) the application was still pending with the Patent Office of the former Soviet Union on December 31, 1991,

(ii) a copy of the pending application and a certificate of receipt by the Patent Office of the former Soviet Union is enclosed, and

(iii) the prescribed fee is paid. The request is considered equivalent to an application filed with the Patent Office of the Republic of Latvia.

(5) The owner of a patent, an inventor's certificate, an industrial design patent or certificate or a trademark certificate granted by the Patent Office of the former Soviet Union on an application filed with that Office prior to December 31, 1991, may file with the Patent Office of the Republic of Latvia up to December 31, 1992, a request for the grant of a patent for invention or an industrial design patent or for a trademark registration, provided that

(i) in the case of inventions, the request is filed not later than 20 years, and, in the case of industrial designs, it is filed not later than 15 years after the filing date of the application with the Patent Office of the former Soviet Union,

(ii) a copy of the Soviet patent or certificate is enclosed, or, where the corresponding application with the Patent Office of the former Soviet Union has been processed to grant but the grant was not formally made, a copy of the decision of the Patent Office of the former Soviet Union that the Soviet patent or certificate should have been granted and

(iii) the prescribed fee is paid. The patent will be granted to the inventor or creator or his successor in title (in the latter case, if the successor in title is an assignee of the inventor or creator, an assignment deed must accompany the request). Failing such request, the Soviet patent or trademark certificate will not have any effect in Latvia.

(6) Any invention or industrial design, covered by an inventor's certificate or an industrial design certificate which had been granted by the Patent Office of the former Soviet Union prior to August 21, 1991, and for which a Latvian patent is not obtained on the basis of a request under paragraph (5), above, may be freely used in Latvia by any person under the provisions which had been in force up to that date including provisions for paying author's reward.

III. Filings under the Patent Cooperation Treaty and under the Madrid Agreement

(7) Paragraphs (4) and (5), above, apply also in the case of a patent application designating the former Soviet Union filed under the PCT. However, in the case referred to in paragraph (4), above, the Patent Office of Latvia will accept a certificate of receipt issued by the International Bureau of WIPO.

(8) Paragraph (5) applies also to international trademark registrations effected under the Madrid Agreement where the effective date of the territorial extension to the former Soviet Union is prior to December 31, 1991.

IV. Provisional Protection

(9) Provisional protection will be granted to inventions and industrial designs, covered by paragraphs (1) and (4), starting from the date of the first publication in the Official Bulletin of the application or request filed with the Patent Office of the Republic of Latvia, and up to the date of granting the patent.

(10) Anyone who prior to the date of the first publication referred to in paragraph (9), above, has started commercial use of the invention or industrial design in Latvia, or has made substantial preparations towards such use, may, notwithstanding the grant of the Latvian patent, continue such use, provided that the scope of use shall not be enlarged.

(11) Anyone who, after the first publication referred to in paragraph (9), above, and before the grant of the Latvian patent, has started to use commercially the invention or industrial design in Latvia must, once the patent is granted:

i) pay to the owner of the patent reasonable compensation, the amount of which shall be fixed by the parties, and

ii) stop using the invention or industrial design unless being granted a license.

V. Procedural provisions

(12) An application must meet the formal requirements prescribed for applications under the PCT or for applications filed with the Patent Office of the former Soviet Union and be accompanied by the prescribed State fee.

(13) If an applicant does not have his ordinary residence or principal place of business in Latvia, he must authorize an agent in Latvia to represent him and pay the State fee in freely convertible currency to the prescribed bank account at the exchange rate valid at the date of payment.

(14) An application or request must be submitted in the Latvian, English, German or Russian language. Where the application or request is in English, German or Russian, a translation in the Latvian language must be submitted within a period of two months after the filing date.

(15) If the Patent Office of the Republic of Latvia finds that not all the formal requirements have been fulfilled including the payment of the prescribed fee, the applicant will be invited to comply with the requirements concerned within a prescribed period, which, in the case of an application or request filed before the date of entry into force of the Decree prescribing the fees to be paid to the Patent Office, will be two months from the date of entry into force of the said Decree and, in the case of an application or request filed after the said date, will be two months from the filing date of the application or request. If the applicant fails to do so, the Patent Office will reject the application or request.

(16) The applications and requests meeting the formal requirements will be kept in abeyance pending the enactment of the legislation on patents, industrial designs and trademarks.

(17) The lists of patent attorneys and State fees will be available at the Latvian Patent Office.

VI. Address of the Patent Office

Patent Office of the Latvian Republic
Brivibas Blvd. 36
226169 Riga
Phone: (0132) 213375
Fax: (0132) 280882

[End of announcement]

**ANNOUNCEMENT ON THE DECREE OF THE GOVERNMENT OF THE
REPUBLIC OF LITHUANIA ON THE PROTECTION OF INDUSTRIAL PROPERTY**

In order to ensure in Lithuania the patent, industrial design and trademark rights granted by the Patent Office of the former Soviet Union as well as a priority date and a filing date for the new applications for protection in Lithuania, the Government of Lithuania adopted on May 20, 1992, a Decree No. 362 on provisional measures until the laws of Lithuania on inventions, industrial designs and trademarks are adopted. The contents of the provisional measures and the Regulations adopted by the State Patent Bureau of Lithuania in execution of the said Decree and their main consequences are summarized below.

I. Applications for Industrial Property Rights Filed with the State Patent Bureau of Lithuania

(1) Pending the enactment of Lithuanian legislation on patents, industrial designs and trademarks, it is possible to file patent applications and applications for the registration of industrial designs and of marks with the State Patent Bureau of Lithuania, which will provide each application with an official stamp attesting the date of receipt of the application; the date so accorded will, once the new legislation comes into effect, be regarded as the filing date of the application.

(2) When Lithuania becomes party to the Patent Cooperation Treaty ("PCT") and the Madrid Agreement Concerning the International Registration of Marks ("Madrid Agreement"), it will be possible to ask for protection in that country under those treaties. For the time being, however, the only way to ask for protection in Lithuania is through direct filings with the State Patent Bureau of Lithuania.

(3) The possibility of claiming priority right will be governed by the new legislation in accordance with the provisions of Article 4 of the Paris Convention for the Protection of Industrial Property.

II. Applications for Industrial Property Rights Previously Filed with the Patent Office of the former Soviet Union and Industrial Property Rights Granted by the Patent Office of the former Soviet Union

(4) Priority rights may be claimed from May 20, 1992 onwards, but not later than April 30, 1993, on the basis of previous patent, industrial design and trademark applications filed with the Patent Office of the former Soviet Union after January 1, 1990, and which were pending on January 31, 1992. Such priority rights are governed by the provisions of Article 4 of the Paris Convention for the Protection of Industrial Property.

(5) Valid patents for inventions, as well as valid inventors' certificates, granted by the Patent Office of the former Soviet Union, on applications filed from January 1, 1978 onwards, will be registered as patents of Lithuania for a period not longer than 15 years from the filing date of the patent application or the application for the inventor's certificate, provided that the owner of the patent or, in the case of an inventor's certificate, the inventor together with the applicant file a request to that effect with the State Patent Bureau of Lithuania not later than April 30, 1993, and pay the prescribed fee. Failing such request, the patent or inventor's certificate will not have any effect in Lithuania.

(6) Industrial designs for which valid industrial design patents or industrial design certificates granted by the Patent Office of the former Soviet Union, on applications filed from January 1, 1983 onwards, will be registered as industrial designs in Lithuania for a period of five years from the filing date of the application for the industrial design patent or certificate, with a possibility of renewing the registration for five consecutive years but no longer than for a period of ten years, provided that the owner of the industrial design patent or, in the case of an industrial design certificate, the creator of the industrial design together with the applicant file a request to that effect with the State Patent Bureau of Lithuania not later than April 30, 1993, and pay the prescribed fee. Failing such request, the industrial design patent or certificate will not have any effect in Lithuania.

(7) Trademarks for which valid trademark certificates were granted by the Patent Office of the former Soviet Union, will be registered as trademarks in Lithuania for 10 years from the filing date of the application for the certificate, provided that the owner of the trademark certificate files a request to that effect with the State Patent Bureau of Lithuania not later than April 30, 1993, and pays the prescribed fee. Failing such request, the trademark certificate will not have any effect in Lithuania.

(8) Patents for inventions, industrial design patents and trademark certificates granted by the Patent Office of the Russian Federation shall not have any effect in Lithuania.

III. Filings under the Patent Cooperation Treaty and under the Madrid Agreement

(9) Paragraph (4) applies also in case of a patent application designating the former Soviet Union filed under the PCT.

(10) Paragraph (7) applies also to international trademark registrations effected under the Madrid Agreement where the effective date of the territorial extension to the former Soviet Union is prior to January 31, 1992.

IV. Publication; Limitation of Legal Effect

(11) Information regarding registration of patents, inventors' certificates, industrial design patents, industrial design certificates and trademark certificates will be published in the Official Bulletin of the State Patent Bureau of Lithuania.

(12) A patent or industrial design which has been registered under paragraph (5) or (6), above, will have no effect against any person who, in Lithuania, prior to the date of the request for registration, was using the invention or industrial design or was making effective and serious preparations for such use.

V. Procedural Provisions

(13) If an applicant does not have his ordinary residence or principal place of business in Lithuania, he must authorize, in the prescribed manner, a registered patent attorney in Lithuania to represent him.

(14) All requests and applications must be filed in Lithuanian and be accompanied on the filing date by the prescribed fees. Other documents of the application may be presented in Russian, English, German or French. Translation into Lithuanian must be presented within three months from the filing date.

(15) If the State Patent Bureau of Lithuania finds that not all the formal requirements have been fulfilled, the applicant will be invited to comply with the requirements concerned within three months; if the applicant fails to do so, the State Patent Bureau of Lithuania will reject the request or the application.

(16) The applicant on the basis of Civil Code may appeal to the Court against any decision by which the State Patent Bureau of Lithuania rejects the request or the application.

(17) The lists of patent attorneys and State fees are available at the Lithuanian State Patent Bureau.

VI. Address of Patent Office

Lithuanian State Patent Bureau
J. Basanavicius g. 5
Vilnius 2683
Lithuania
Tel. 62 21 92 and 62 07 16
Fax (0122) 61 73 84

FEES PAYABLE UNDER THE PCT**Canada**

Pursuant to PCT Rule 16.1(d), a new amount in **Canadian Dollars (CAD)**, as specified below, has been established for the search fee for an international search by the European Patent Office. The new amount is applicable as from August 1, 1992.

Search fee
(international search by the
European Patent Office): CAD 1,670

[Updating of PCT Gazette No. 18/1992, Annex D(EP), page 7763]

**DEPOSITS OF MICROORGANISMS
REQUIREMENTS OF DESIGNATED AND ELECTED OFFICES****Australia**

Pursuant to PCT Rule 13bis.7, The **Australian Patent Office** has notified the International Bureau of requirements for furnishing of samples of microorganisms, to be reflected in the entry concerning Australia in the table relating to the requirements of designated and elected Offices contained in Annex L, published in PCT Gazette No. 18/1992, as follows:

“An applicant may give notice that the furnishing of a sample of a microorganism shall only be effected prior to the grant of a patent, or prior to the lapsing, refusal or withdrawal of the application, to a person who is a skilled addressee without an interest in the invention (Regulation 3.25(3) of the Australian Patents Regulations). A notice to this effect must be filed by the applicant with the Australian Patent Office before the application is made available to the public under Section 90 of the Australian Patents Act. If such a notice has been filed, a request for the furnishing of a sample must nominate the person to whom the sample will be furnished.”

[Updating of PCT Gazette No. 18/1992, Annex L, page 7778]

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

INTERNATIONAL SEARCHING AUTHORITIES INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES

Agreement between the Federal Minister for Economic Affairs of the Republic of Austria and the World Intellectual Property Organization*

Amendment to Annex B

The Federal Minister for Economic Affairs of the **Republic of Austria** and the Director General of the World Intellectual Property Organization have agreed, in accordance with Article 11(2) of the Agreement, on an amendment to Annex B of the Agreement with effect as from July 1, 1992. The amended Annex reads as follows:

"ANNEX B

SUBJECT MATTER NOT EXCLUDED FROM SEARCH OR EXAMINATION

The subject matter set forth in Rule 39.1 or Rule 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

All subject matter searched or examined under the national patent grant procedure under the provisions of the Austrian Patent Law."

[Updating of PCT Gazette No. 18/1992, Annex D(AT), page 7761, and Annex E(AT), page 7769]

FEES PAYABLE UNDER THE PCT

Ireland

Pursuant to PCT Rules 15.2(b) and 57.2(c), equivalent amounts of fees in **Irish Pounds (IEP)**, as specified below, have been established. The amounts are applicable as from August 1, 1992.

Basic fee:	IEP 316
Supplement per sheet over 30:	IEP 6
Designation fee:	IEP 77
Handling fee:	IEP 97

[Updating of PCT Gazette No. 18/1992, Annex E(EP), page 7771]

* Published in PCT Gazette No. 26/1987, pages 4557 to 4562, and No. 03/1991, page 835.

FEES PAYABLE UNDER THE PCT (Cont'd)**European Patent Organisation**

The **European Patent Office** has established amounts in **Irish Pounds (IEP)** of fees fixed in the EPO's Schedule of Fees, as specified below. The amounts, which correspond to the fees published in PCT Gazette No. 18/1992 on July 9, 1992, are applicable as from August 1, 1992.

Transmittal fee:	IEP	76
Fee for priority document (PCT Rule 17.1(b)):	IEP	15
Search fee (for an international search):	IEP	833
Preliminary examination fee:	IEP	1061
Fee for copies (per A4 page):	IEP	0.50
National fee:	IEP	227
Search fee (for a European patent):	IEP	720
European designation fee:	IEP	133
Claims fee:	IEP	30
Examination fee:	IEP	1061
Renewal fee for the third year:	IEP	284

[Updating of PCT Gazette No. 18/1992, Annex D(EP), page 7763, and Annex E(EP), pages 7771 and 7772, and information on equivalent amounts for fees indicated in Deutsche Mark (DEM) in Annex C(EP), page 7736, and Summary (EP), page 7797]

INFORMATION ON CONTRACTING STATES**Democratic People's Republic of Korea**

The **Invention Office of the Democratic People's Republic of Korea** has notified a change in its location and mailing address, as follows:

Location and mailing address:	Kinmaul 1 dong Bipa Street Moranbong District Pyongyang Democratic People's Republic of Korea
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[Updating of PCT Gazette No. 18/1992, Annex B1(KP), page 7682]

Mongolia

The **Patent and Trademark Office of Mongolia** has notified changes in its name as well as in its location and mailing address, as follows:

Name of Office:	Mongolian Patent and Trademark Office
Location and mailing address:	49, Baga Toiruu Ulaanbaatar Mongolia

[Updating of PCT Gazette No. 18/1992, Annex B1(MN), page 7696]

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

FEES AND CHARGES PAYABLE UNDER THE PCT

International Bureau

The International Bureau has fixed a new fee in **Swiss Francs (CHF)** for furnishing copies of priority documents to third parties as follows:

Fee covering the cost of preparing and mailing to a third party a copy of a priority document (PCT Rule 17.2(c)):	Surface mail:	CHF 35
	Airmail:	CHF 45

[Updating of PCT Gazette No. 18/1992, Annex B2(WO), page 7725]

INFORMATION ON CONTRACTING STATES INFORMATION ON RECEIVING OFFICES

Ireland

General information on **Ireland** as a new Contracting State and information on the requirements of the **Irish Patents Office** as receiving Office is given in "Annex B1(IE)" and "Annex C(IE)" which are published on the following pages.

B1 Information on Contracting States**B1****IE** IRELAND**IE****General information**

Name of Office:	Patents Office
Location and mailing address:	45 Merrion Square, Dublin 2, Ireland
Telephone:	(1) 61 41 44
Facsimile machine:	(1) 76 04 16
Teleprinter:	—
Does the Office accept the filing of documents by means of telecommunication (PCT Rule 92.4)?	No
Would the Office accept evidence of mailing a document, in case of loss or delay, where a delivery service other than the postal authorities is used (PCT Rule 82.1)?	No
Competent receiving Office for nationals and residents of Ireland:	Irish Patents Office or European Patent Office, at the choice of the applicant (see Annex C)
Competent designated (or elected) Office if Ireland is designated (or elected):	European Patent Office (see Volume II)
May Ireland be elected?	Yes (bound by Chapter II of the PCT)
Types of protection available:	European patents
Provisions of the law of Ireland concerning international-type search:	None
Provisional protection after international publication:	European protection only: (1) International application published in one of the EPO official languages: compensation reasonable in the circumstances, on condition that any national requirements relating to the translation of the claims in the application have been met. (2) International application published in a language which is not an EPO official language: the protection referred to in (1) does not become effective until the EPO publishes the international application supplied to it in one of its official languages.

Information of interest if Ireland is designated (or elected)
See European Patent Organisation (EP) in Annex B2

C**Receiving Offices****C****IE****IRISH PATENTS OFFICE****IE**

Competent receiving Office for nationals and residents of:	Ireland
Language in which international applications may be filed:	English
Number of copies required by the receiving Office:	3
Competent International Searching Authority:	European Patent Office
Competent International Preliminary Examining Authority:	European Patent Office
Fees payable to the receiving Office:	Currency: Irish Pound (IEP)
Transmittal fee:	IEP 60
Basic fee:	IEP 316
Supplement per sheet over 30:	IEP 6
Designation fee:	IEP 77
Search fee:	See Annex D (European Patent Office)
Fee for priority document (PCT Rule 17.1(b)):	IEP 3 plus IEP 0.50 per page
Is an agent required by the receiving Office?	No, if applicant resides in Ireland Yes, if he is non-resident
Who can act as agent?	Any person registered in the Register of Patent Agents kept at the Irish Patents Office

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

INTERNATIONAL SEARCHING AUTHORITIES

INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES

Agreement between the European Patent Organisation and the World Intellectual Property Organization **

Amendment to Annex C

The President of the **European Patent Office** has notified the International Bureau, pursuant to Article 11(3)(ii) of the Agreement, of amendments to Annex C of the Agreement. The new fees are applicable as from October 1, 1992. The amended Annex reads as follows:

"ANNEX C

FEES AND CHARGES FOR INTERNATIONAL SEARCH AND PRELIMINARY EXAMINATION

Part I: Schedule of Fees and Charges

Kind of fee or charge	Amount Deutsche Mark
Search fee (Rule 16.1(a))	2,400 *
Additional fee (Rule 40.2(a))	2,400 *
Preliminary examination fee (Rule 58.1(b))	3,000 *
Additional fee (Rule 68.3(a))	3,000 *
Protest fee (Rules 40.2(e) and 68.3(e))	2,000 *
Cost of copies (Rules 44.3(b), 71.2(b) and 94.1)	1.30 per page

* For nationals of developing countries, this fee shall be reduced by three-quarters under the conditions specified in the Decision of the Administrative Council of 9 December 1983 as amended on 8 June 1984 (see Official Journal of the EPO 1984, pages 3 and 297, and PCT Gazette No. 25/1984, page 3097).

Part II: [No change]"

** Published in PCT Gazette No. 26/1987, pages 4590 to 4596, No. 19/1988, pages 4113 and 4114 and No. 29/1990, page 10037.

FEES PAYABLE UNDER THE PCT

Canada

Pursuant to PCT Rule 15.2(d), new amounts in **Canadian Dollars (CAD)**, as specified below, have been established. The new amounts are applicable as from October 1, 1992.

Basic fee: CAD 696

Supplement per sheet over 30: CAD 14

Designation fee: CAD 168

[Updating of PCT Gazette No. 18/1992, Annex C(CA), page 7731]

European Patent Organisation

The European Patent Office has notified new amounts in **Deutsche Mark (DEM)**, **Pounds Sterling (GBP)**, **French Francs (FRF)**, **Swiss Francs (CHF)**, **Netherlands Guilders (NLG)**, **Swedish Kroner (SEK)**, **Belgian and Luxembourg Francs (BEF/LUF)**, **Lira (ITL)**, **Austrian Schillings (ATS)**, **Peseta (ESP)**, **Greek Drachma (GRD)**, **Danish Kroner (DKK)** and **Irish Pounds (IEP)** of fees payable to it, as specified in the table below. The new amounts are applicable as from October 1, 1992.

	DEM	GBP	FRF	CHF	NLG	SEK	BEF LUF	ITL	ATS	ESP	GRD	DKK	IEP
Transmittal fee:	200	71	690	180	230	750	4,200	154,000	1,430	13,200	25,000	780	76
Fee for priority document (PCT Rule 17.1(b)):	60	21	210	50	70	220	1,300	46,000	430	3,900	7,500	230	23
Search fee (for an international search):	2,400	851	8,230	2,180	2,740	8,990	50,200	1,846,000	17,140	157,900	300,000	9,390	909
Preliminary examination fee:	3,000	1,064	10,290	2,730	3,430	11,240	62,800	2,308,000	21,430	-	-	11,730	1,136
Protest fee:	2,000	709	6,860	1,820	2,290	7,490	41,900	1,538,000	14,290	131,600	250,000	7,820	758
Fee for copies (per A4 page)	1.30	0.50	4.50	1.20	1.50	4.90	25	1,000	9.30	85	165	5.10	0.50
National fee:	600	213	2,060	550	690	2,250	12,600	462,000	4,290	39,500	75,000	2,350	227
Search fee (for a European patent):	1,900	674	6,520	1,730	2,170	7,120	39,800	1,462,000	13,570	125,000	237,500	7,430	720
European designation fee:	350	124	1,200	320	400	1,310	7,300	269,000	2,500	23,000	43,800	1,370	133
Claims fee:	80	28	270	70	90	300	1,700	62,000	570	5,300	10,000	310	30
Examination fee:	2,800	993	9,610	2,550	3,200	10,490	58,600	2,154,000	20,000	184,200	350,000	10,950	1,061
Renewal fee for the third year:	750	266	2,570	680	860	2,810	15,700	577,000	5,360	49,300	93,800	2,930	284

[Updating of PCT Gazette No. 18/1992, Annex D(EP), page 7763, Annex E(EP), pages 7771 and 7772, Annex C(EP), page 7736, and Summary (EP), page 7797.]

Fees payable to the Receiving Offices

New amounts of the search fee for an international search carried out by the European Patent Office will apply as from October 1, 1992. The receiving Offices concerned and the new amounts payable to them are specified below.

Receiving Office	Amount
Austrian Patent Office	ATS 17,140
Belgium, Industrial Property Office	BEF 50,200
Brazil, National Institute of Industrial Property	Equivalent of DEM 2,400
Bulgaria, Institute of Inventions and Rationalizations	Equivalent of DEM 2,400
Canadian Patent Office	CAD 1,945
Danish Patent Office	DKK 9,390
Finland, National Board of Patents and Registration	FIM 6,630
France, National Institute of Industrial Property	FRF 8,230
German Patent Office	DEM 2,400
Greece, Industrial Property Organization	GRD 300,000
Italy, Central Patent Office	ITL 1,846,000
Japanese Patent Office	JPY 209,000
Luxembourg, Intellectual Property Office	LUF 50,200
Malawi, Ministry of Justice, Department of the Registrar General	MWK 6,400
Monaco, Directorate of Commerce, Industry and Industrial Property	FRF 8,230
Netherlands Patent Office	NLG 2,740
Norwegian Patent Office	NOK 9,500
Patent Office of the Republic of Poland	Equivalent of DEM 2,400
Romania, State Office for Inventions and Trademarks	Equivalent of DEM 2,400
Spain, Industrial Property Office	ESP 157,900
Sudan, Commercial Registrar General's Office	Equivalent of DEM 2,400
Swedish Patent Office	SEK 8,990
Swiss Federal Intellectual Property Office	CHF 2,180
United Kingdom Patent Office	GBP 851
United States Patent and Trademark Office	USD 1,635
European Patent Office	see above, at page 10110
International Bureau of WIPO	CHF 2,180

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

CONTRACTING STATES

States Party to the Patent Cooperation Treaty (PCT)

On August 24, 1992, Portugal deposited its instrument of accession to the Patent Cooperation Treaty (PCT). Portugal will become the 51st Contracting State of the PCT on **November 24, 1992**.

Consequently, as from November 24, 1992, nationals and residents of Portugal will be entitled to file international applications under the PCT. Furthermore, in any international application filed on or after November 24, 1992, Portugal may be designated and elected.

The entry into force of the PCT for Portugal is of particular importance since it has the consequence that, as from November 24, 1992, all States party to the European Patent Convention (Austria, Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Liechtenstein, Luxembourg, Monaco, the Netherlands, Portugal, Spain, Sweden, Switzerland and the United Kingdom) will also be party to the PCT. This opens the possibility of obtaining, by filing a single international application, a European patent for all those States.

[Updating of PCT Gazette No. 18/1992, Annex A, page 7635]

FEES PAYABLE UNDER THE PCT

Australia

Pursuant to PCT Rules 15.2(d) and 57.2(e), new amounts in **Australian Dollars (AUD)**, as specified below, have been established. The new amounts are applicable as from November 17, 1992.

Basic fee:	AUD 821
Supplement per sheet over 30:	AUD 16
Designation fee:	AUD 199
Handling fee:	AUD 251

[Updating of PCT Gazette No. 18/1992, Annex C(AU), page 7727, and Annex E(AU), page 7770]

DEPOSITS OF MICROORGANISMS**Czechoslovakia**

Pursuant to PCT Rule 13bis.7(b), the **Federal Office for Inventions of Czechoslovakia** has notified the International Bureau of depositary institutions with which deposits of microorganisms may be made for the purposes of patent procedure before that Office, as follows:

Czechoslovak Collection of Microorganisms (CCM)*
Československá sbírka mikroorganismů Masarykovy university
ul. Tvrdého č. 14
602 00 Brno
Czechoslovakia

Czechoslovak Collection of Yeasts (CCY)*
Československá sbírka kvasinek při Chemickém
ústavu Slovenské akademie věd
Dúbravská cesta 9
842 38 Bratislava
Czechoslovakia

* Depositary institution having acquired the status of international depositary authority under the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure.

[Updating of PCT Gazette No. 18/1992, Annex L, page 7785]

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

CONTRACTING STATES

States party to the Patent Cooperation Treaty (PCT)

On September 1, 1992, New Zealand deposited its instrument of accession to the Patent Cooperation Treaty (PCT). New Zealand will become the 52nd Contracting State of the PCT on December 1, 1992.

Consequently, as from December 1, 1992, nationals and residents of New Zealand will be entitled to file international applications under the PCT. Furthermore, in any international application filed on or after December 1, 1992, New Zealand may be designated and elected.

[Updating of PCT Gazette No. 18/1992, Annex A, page 7635]

INTERNATIONAL SEARCHING AUTHORITIES INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES

Agreement between the Government of Australia and the World Intellectual Property Organization*

Amendment to Annex A

The Australian Patent Office and the Director General of the World Intellectual Property Organization have agreed, in accordance with Article 11(2) of the Agreement, on an amendment to Annex A of the Agreement with effect as from December 1, 1992. The amended Annex reads as follows:

"ANNEX A

STATES AND LANGUAGES

Under Article 3 of the Agreement, the Authority

(i) shall act for the following States:

Australia, New Zealand and

the States regarded as developing countries in conformity with the established practice of the General Assembly of the United Nations;

(ii) [No change]"

* Published in PCT Gazette No. 26/1978, pages 4551 to 4556, No. 13/1988, page 2839, No. 12/1989, page 3164, No. 03/1990, page 669, No. 09/1991, page 3500, and No. 13/1992, page 6468.

**Agreement between the United States Patent and Trademark Office
and the World Intellectual Property Organization***

Amendment to Annex C

The United States Patent and Trademark Office (USPTO) has notified the International Bureau, in accordance with Article 11(3)(ii) of the Agreement, of amendments to Annex C of the Agreement. The new amounts of fees are applicable as from October 1, 1992. The amended Annex reads as follows:

"ANNEX C

**FEES AND CHARGES FOR INTERNATIONAL SEARCH
AND PRELIMINARY EXAMINATION**

Part I : Schedule of Fees and Charges

Kind of fee or charge	Amount US Dollar
Search fee (Rule 16.1(a))	
(i) where no corresponding prior United States national application with basic filing fee has been filed	620
(ii) where a corresponding prior United States national application with basic filing fee has been filed	410
Supplemental search fee (Rule 40.2(a))	per additional invention 170
Preparation of an international-type search report in a United States national application	40
Preliminary examination fee (Rule 58.1(b))	
(i) where an international search fee has been paid on the international application for the benefit of the United States Patent and Trademark Office as an International Searching Authority	450
(ii) where the International Searching Authority for the international application was an authority other than the United States Patent and Trademark Office	670
Additional preliminary examination fee (Rule 68.3(a))	
(i) where a supplemental search fee has been paid on the international application to the United States Patent and Trademark Office as an International Searching Authority	per additional invention 140
(ii) where the International Searching Authority for the international application was an authority other than the United States Patent and Trademark Office	per additional invention 230
Cost of copies (Rule 94.1)	per document 25

Part II : [No change]"

* Published in PCT Gazette No. 26/1987, pages 4583 to 4589, No. 08/1989, pages 2023 and 2024, and No. 29/1991, pages 12868 and 12869.

FEES PAYABLE UNDER THE PCT

United States of America

The United States Patent and Trademark Office (USPTO) has notified new amounts of fees in US Dollars (USD), as specified below. The new amounts are applicable as from October 1, 1992.

Transmittal fee:	USD 200
Search fee:	
- where no corresponding prior United States national application with basic national fee has been filed:	USD 620
- where a corresponding prior United States national application with basic national fee has been filed:	USD 410
Additional search fee:	USD 170
Preliminary examination fee:	
- where an international search fee has been paid on the international application for the benefit of the USPTO as an International Searching Authority:	USD 450
- where the International Searching Authority for the international application was an authority other than the USPTO:	USD 670
Additional preliminary examination fee:	
- where a supplemental search fee has been paid on the international application to the USPTO as an International Searching Authority:	[No change]
- where the International Searching Authority for the international application was an authority other than the USPTO:	USD 230
Fee for copies	per document USD 25
Basic national fee (amounts in parentheses are applicable in case of filing by a "small entity"):	
- where an international preliminary examination fee has been paid on the international application to the USPTO:	USD 640 (320)
- where no international preliminary examination fee has been paid on the international application to the USPTO, but an international search fee has been paid for an international search by the USPTO:	USD 710 (355)
- where no international preliminary examination fee has been paid to and no international search report has been prepared by the USPTO:	USD 950 (475)

Basic national fee (amounts in parentheses are applicable in case of filing by a "small entity") (Cont'd):

- where a search report on the international application has been prepared by the European Patent Office or the Japanese Patent Office:	USD 830 (415)
- where the international preliminary examination report prepared by the USPTO states that the criteria of novelty, inventive step (non-obviousness), and industrial applicability, as defined in PCT Article 33(1) to (4), have been satisfied for all the claims presented in the application entering the national phase:	[No change]
Additional fee for each claim in independent form in excess of 3:	USD 74 (37)
Additional fee for each claim, independent or dependent, in excess of 20:	USD 22 (11)
In addition, if the application contains a multiple dependent claim(s), per application:	USD 230 (115)
Surcharge for filing oath or declaration or paying basic national fee after the expiration of the time limit applicable under PCT Article 22 or 39(1):	[No change]
Processing fee for filing English language translation after the expiration of the time limit applicable under PCT Article 22 or 39(1):	[No change]

[Updating of PCT Gazette No. 18/1992, Annex C(US), page 7758, Annex D(US), page 7768, Annex E(US), page 7777, and Summary(US), pages 7824 and 7825]

DEPOSITS OF MICROORGANISMS

United Kingdom

Pursuant to PCT Rule 13bis.7(b), the **United Kingdom Patent Office** has notified the International Bureau of changes in the name and address of the depositary institution listed as "Commonwealth Agricultural Bureau (CAB), International Mycological Institute" in Annex L, published in PCT Gazette No. 18/1992, as follows:

"International Mycological Institute (IMI)*
Bakeham Lane
Englefield Green
Egham, Surrey
United Kingdom TW20 9TY"

* Depositary institution having acquired the status of international depositary authority under the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure.

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

FEES PAYABLE UNDER THE PCT

Czechoslovakia

The Federal Office for Inventions of Czechoslovakia has notified new amounts of fees in Koruna (CSK) payable to it as designated (or elected) Office, as specified below.

National fee:	
Filing fee:	CSK 1,200
Fee for requesting examination:	
- basic fee:	CSK 2,500
- additional fee for each claim in excess of ten:	CSK 400
Annual fee for the period from the 1st to the 5th year:	CSK 7,000

[Updating of PCT Gazette No. 18/1992, Summary (CS), page 7794]

United States of America

Pursuant to PCT Rules 15.2(d) and 57.2(e), new amounts in US Dollars (USD), as specified below, have been established. The new amounts are applicable as from December 1, 1992.

Basic fee:	USD 593
Supplement per sheet over 30:	USD 12
Designation fee:	USD 144
Handling fee:	USD 181

[Updating of PCT Gazette No. 18/1992, Annex C(US), page 7758, and Annex E(US), page 7777]

PATENT COOPERATION TREATY

Effects of International Applications in Ukraine

1. On September 21, 1992, Ukraine deposited a declaration of continuation the effect of which is that the Patent Cooperation Treaty (PCT) is applied by Ukraine. Nationals and residents of Ukraine can therefore file international applications, and Ukraine can be designated and elected in international applications filed, from that date.

2. On September 29, 1992, the Assembly of the PCT Union adopted, with effect on October 1, 1992, new Rules 32.1 and 32.2 in the Regulations under the PCT. The text of the new rules appears at the end of this announcement.

3. For the purpose of determining the status of international applications with respect to Ukraine, one has to distinguish between, on the one hand, international applications designating the Soviet Union which were filed before December 25, 1991 (see paragraph 4, below), and, on the other hand, international applications--whether or not they designate the Russian Federation--which were filed between December 25, 1991, and November 23, 1992 (see paragraphs 5 to 7, below).

International Applications (With a Designation of the Soviet Union) Whose International Filing Date Is Prior to December 25, 1991

4. As regards any international application whose international filing date is prior to December 25, 1991, and in which the Soviet Union has been designated, the "national filing effect" of any such application under Article 11(4) of the PCT will, pursuant to the deposit by Ukraine of its declaration of continuation, be recognized in Ukraine (provided that the international application had not lost its effect in the Soviet Union by December 24, 1991). The International Bureau will publish a notice of the fact that the designation of the Soviet Union in such international applications has the effect of a designation of Ukraine. The conditions under which any such international application, or any patent resulting therefrom and granted by the Patent Office of the Soviet Union, may continue to have effect in Ukraine (such as the performance of certain acts by the applicant or owner of the patent within certain time limits) are not yet known. As soon as they are, they will be published by the International Bureau in the PCT Gazette.

International Applications (With or Without a Designation of the Russian Federation) Whose International Filing Date Is Later Than December 24, 1991, and Earlier Than November 24, 1992

5. As regards any international application whose international filing date is later than December 24, 1991, and earlier than November 24, 1992*, its effects may be extended to Ukraine (whether or not it contains a designation of the Russian Federation) through the performance by the applicant of the following acts:

- (i) filing with the International Bureau a request for extension;
- (ii) paying to the International Bureau an extension fee of 185 Swiss francs, payable in Swiss francs.

6. The applicant in respect of each and every international application referred to in paragraph (5), above, or his agent or common representative if there is one, will receive a written notification from the International Bureau calling his attention to the fact that he can, by filing a written request for extension, extend the effects of the international application to Ukraine. The notification will, in particular, specify the modes of payment of the extension fee. The request for extension must contain the identification of the international application by its international application number. A form will be attached to the notification and may be used for the purpose of requesting the extension to Ukraine. The request for extension must be in English or French, and may be sent by telefax or telex. The request for extension and the corresponding payment must reach the International Bureau before the expiration of three months from the date of the notification sent by the International Bureau; if either the request or the fee is received later, the request will be refused. It is recommended that the form be used, but requests and payments may be made without waiting for the notification from the International Bureau.

* With the exception of any such international application whose international filing date is later than September 21, 1992, and in which Ukraine has been designated under Rule 4.9(a) of the Regulations under the PCT: in such a case, the procedure described below is not applicable. It should be noted that only those international applications filed on or after September 21, 1992, can specifically designate Ukraine.

7. If the conditions described in paragraphs 5 and 6, above, are fulfilled, Ukraine will be considered as having been designated in the international application on its international filing date. The requirements for entering the national phase before the State Patent Office of Ukraine (that is, the acts to be performed and the applicable time limits) will be indicated in each notification referred to in paragraph 6, above. In any case, no time limit for entering the national phase will expire before the expiration of three months from the date of the request for extension. If

- (i) a demand for international preliminary examination has been made before the expiration of the 19th month from the priority date and
- (ii) a request for extension is made after that expiration and
- (iii) a later election of Ukraine is made within three months from the date of the request for extension,

the time limit for entering the national phase before the State Patent Office of Ukraine will not expire before the normal time limit for entering the national phase under Chapter II of the PCT, i.e., 30 months from the priority date.

TEXT OF NEW RULE 32
(with effect on October 1, 1992)

Rule 32

**Extension of Effects of International Application to
Certain Successor States**

32.1 Request for Extension of International Application to Successor State

(a) The effects of any international application whose international filing date falls in the period defined in paragraph (b) may, subject to the performance by the applicant of the acts specified in paragraph (c), be extended to a State ("the successor State") whose territory was, before the independence of that State, part of the territory of a Contracting State which subsequently ceased to exist ("the predecessor State"), provided that the successor State has become a Contracting State through the deposit, with the Director General, of a declaration of continuation the effect of which is that the Treaty is applied by the successor State.

(b) The period referred to in paragraph (a) starts on the day following the last day of the existence of the predecessor State and ends two months after the date on which the declaration referred to in paragraph (a) was notified by the Director General to the Governments of the States party to the Paris Convention for the Protection of Industrial Property. However, where the date of independence of the successor State is earlier than the date of the day following the last day of the existence of the predecessor State, the successor State may declare that the said period starts on the date of its independence; such a declaration shall be made together with the declaration referred to in paragraph (a) and shall specify the date of independence.

(c) In respect of any international application whose filing date falls within the applicable period under paragraph (b), the International Bureau shall send the applicant a notification informing him that he may make a request for extension by performing, within three months from the date of that notification, the following acts:

- (i) filing with the International Bureau the request for extension;
 - (ii) paying to the International Bureau an extension fee in Swiss francs, the amount of which shall be the same as the amount of the designation fee referred to in Rule 15.2(a).
- (d) This Rule shall not apply to the Russian Federation.

32.2 Effects of Extension to Successor State

(a) Where a request for extension is made in accordance with Rule 32.1,

- (i) the successor State shall be considered as having been designated in the international application, and
- (ii) the applicable time limit under Article 22 or 39(1) in relation to that State shall be extended until the expiration of at least three months from the date of the request for extension.

(b) Where, in the case of a successor State which is bound by Chapter II of the Treaty, the request for extension was made after, but the demand was made before, the expiration of the 19th month from the priority date, and a later election is made of the successor State within three months from the date of the request for extension, the applicable time limit under paragraph (a)(ii) shall be at least 30 months from the priority date.

(c) The successor State may fix time limits which expire later than those provided in paragraphs (a)(ii) and (b). The International Bureau shall publish information on such time limits in the Gazette.

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

MEETING OF THE INTERNATIONAL PATENT COOPERATION UNION (PCT UNION) ASSEMBLY

Twentieth Session (12th Extraordinary)
(Geneva, September 21-29, 1992)

Note*

The Assembly of the International Patent Cooperation Union (PCT Union) held its twentieth session (twelfth extraordinary) in Geneva from September 21 to 29, 1992, in conjunction with the 23rd series of meetings of the Governing Bodies of the World Intellectual Property Organization (WIPO) and the Unions administered by WIPO.

Accession of China to the PCT

The Assembly unanimously approved the text of the Agreement between the Chinese Patent Office and WIPO, as set out below, and appointed that Office as International Searching and Preliminary Examining Authority with effect on the date on which China becomes bound by the PCT. In addition, the Assembly adopted, with effect on the same date, amendments of the PCT Regulations (Rules 10.1(f), 11.9(b) and (e) and 48.3(a) and (b), as set out below) which enable the use of the Chinese language in the filing, publication and other processing of international applications under the PCT.

International Search and International Preliminary Examination of International Applications Filed in Spanish

The Assembly unanimously adopted amendments to the PCT Regulations which enable international preliminary examination, on the basis of a translation furnished by the applicant, of international applications filed and published in a language which is not a working language of any International Preliminary Examining Authority. These amendments will apply, initially, to international applications filed in Spanish, although they are not limited in their operation to applications filed in that language. The amendments are particularly designed to facilitate the accession of Spanish-speaking countries to the PCT, including Chapter II. The amendments, which will enter into force on January 1, 1993, will cease to be applicable with respect to international applications filed in Spanish as soon as a competent International Searching and Preliminary Examining Authority is available to carry out, without the need for a translation, international searches and international preliminary examinations in respect of international applications filed in Spanish. The amendments, which are set out below, involve Rules 37.2, 38.2, 43.4, 55.1, 55.2, 55.3, 60.1(a), 61.1(b), 66.9(a) to (d), 70.17(a), 74.1(a) and (b) and 92.2(a), as well as Rules 37.1 and 38.1 (amendments to the French text only).

Proposal to Amend PCT Rule 91.1 (Rectification of Obvious Errors in Documents)

The Assembly decided not to consider further, at this session, a proposal by the United Kingdom that Rule 91.1 be amended to liberalize the provisions permitting rectification of certain documents on the basis of an obvious error--in particular, in certain circumstances, where a rectification is obvious from a comparison with other documents. The Assembly invited the International Bureau to convene the PCT Committee for Administrative and Legal Matters for a detailed study of the proposal.

* This Note was prepared by the International Bureau.

Procedure for Extension of International Applications to Certain Newly Independent States

The Assembly adopted new PCT Rules 32.1 and 32.2 which provide a new procedure for extending the effects of certain international applications to a newly independent State whose territory was formerly part of a PCT Contracting State which has subsequently ceased to exist, and which deposits a declaration of continuation the effect of which is that the PCT is applied by that newly independent State. The new Rules entered into force on October 1, 1992. The text of the Rules and details of the new procedure, which does not apply to the Russian Federation, were published in the PCT Gazette, Issue No. 26/1992, at pages 11911 to 11914. For the sake of completeness in reporting the deliberations of the Assembly, the new Rules are again reproduced below.

Cut-Off Date of Minimum Documentation--PCT Rule 34

As a result of a question raised by the Delegation of Australia, the Assembly decided that the desirability of revising PCT Rule 34 to advance the cut-off date for PCT minimum documentation from 1920 be studied and that such a study should start with the consideration of the question in the December 1992 session of the PCT Committee for Technical Cooperation.

INTERNATIONAL SEARCHING AUTHORITIES INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES

**AGREEMENT between
the CHINESE PATENT OFFICE and the WORLD INTELLECTUAL PROPERTY ORGANIZATION
in relation to the functioning of the CHINESE PATENT OFFICE as
an International Searching and International Preliminary
Examining Authority under the Patent Cooperation Treaty**

The Chinese Patent Office and the World Intellectual Property Organization
hereby agree as follows:

Article 1

Terms and Expressions Used in the Agreement

- (1) For the purposes of this Agreement:
 - (a) "Treaty" means the Patent Cooperation Treaty;
 - (b) "Regulations" means the Regulations under the Treaty;
 - (c) "Administrative Instructions" means the Administrative Instructions under the Treaty;
 - (d) "Article" (except where a specific reference is made to an Article of this Agreement) means an Article of the Treaty;
 - (e) "Rule" means a Rule of the Regulations;
 - (f) "Contracting State" means a State party to the Treaty;
 - (g) "Authority" means the Chinese Patent Office.

(2) All other terms and expressions used in this Agreement which are also used in the Treaty, the Regulations or the Administrative Instructions have, for the purposes of this Agreement, the same meaning as in the Treaty, the Regulations and the Administrative Instructions.

Article 2

Basic Obligations

(1) The Authority shall carry out international search and international preliminary examination in accordance with, and perform such other functions of an International Searching and International Preliminary Examining Authority as are provided under the Treaty, the Regulations, the Administrative Instructions and this Agreement. In carrying out international search and international preliminary examination, the Authority shall be guided by the Guidelines for International Search and for International Preliminary Examination to be Carried Out under the Patent Cooperation Treaty. The Authority shall apply and observe all the common rules of international search and of international preliminary examination.

(2) The Authority and the International Bureau shall, having regard to their respective functions under the Treaty, the Regulations, the Administrative Instructions and this Agreement, render, to the extent possible, mutual assistance in the performance of their functions thereunder.

Article 3

Competence of Authority

(1) The Authority shall act as an International Searching Authority for all international applications filed with the receiving Office of, or acting for, any Contracting State indicated in Annex A of this Agreement, provided that the receiving Office specifies the Authority for that purpose and that such applications are in one of the languages specified in Annex A of this Agreement.

(2) The Authority shall act as an International Preliminary Examining Authority for all international applications filed with the receiving Office of, or acting for, any Contracting State indicated in Annex A of this Agreement, provided that the receiving Office specifies the Authority for that purpose and that such applications are in one of the languages specified in Annex A of this Agreement.

Article 4

Subject Matter Not Required to be Searched or Examined

The Authority shall not be obliged to search, by virtue of Article 17(2)(a)(i), or shall not be obliged to examine, by virtue of Article 34(4)(a)(i), any international application to the extent that it considers that the international application relates to subject matter set forth in Rule 39.1 or Rule 67.1, as the case may be, with the exception of the subject matter specified in Annex B of this Agreement.

Article 5

Fees and Charges

(1) A schedule of all fees of the Authority, and all other charges which the Authority is entitled to make, in relation to its function as an International Searching and International Preliminary Examining Authority, is set out in Annex C of this Agreement.

(2) The Authority shall, under the conditions and to the extent set out in Annex C of this Agreement, refund the whole or part of the search fee paid where an international search report can be wholly or partly based on the results of an earlier search made by the Authority (Rules 16.3 and 41.1) or where the international application is withdrawn or considered withdrawn before the start of the international search.

(3) The Authority shall, under the conditions and to the extent set out in Annex C of this Agreement, refund the whole or part of the preliminary examination fee paid where the demand is considered as if it had not been submitted (Rule 58.3) or where the demand or the international application is withdrawn by the applicant before the start of the international preliminary examination.

Article 6

Classification

For the purposes of Rules 43.3(a) and 70.5(b), the Authority shall indicate solely the International Patent Classification.

Article 7

Languages of Correspondence Used by the Authority

For the purposes of correspondence, including forms, other than with the International Bureau, the Authority shall use the language, specified in Annex A of this Agreement, which is the language of the international application.

Article 8

International-Type Search

The Authority shall carry out international-type searches to the extent decided by it.

Article 9

Entry Into Force of the Agreement

This Agreement shall enter into force on the day on which China becomes bound by the PCT.

Article 10

Duration and Renewability of the Agreement

This Agreement shall remain in force for five years. At the latest four years after its entry into force, the parties to this Agreement shall start negotiations for its renewal.

Article 11

Amendment

(1) Without prejudice to paragraphs (2) and (3), amendments may, subject to approval by the Assembly of the International Patent Cooperation Union, be made to this Agreement by agreement between the parties hereto; they shall take effect on the date agreed upon by them.

(2) Without prejudice to paragraph (3), amendments may be made to the Annexes of this Agreement by agreement between the Director General of the World Intellectual Property Organization and the Authority; they shall take effect on the date agreed upon by them.

(3) The Authority may, by notice in writing given to the Director General of the World Intellectual Property Organization:

(i) add to the States and languages listed in Annex A of this Agreement;

(ii) amend the schedule of fees and other charges contained in Annex C of this Agreement.

(4) Any amendment notified under paragraph (3) shall take effect on the date specified by the Authority, provided that for any increase of fees or other charges contained in Annex C that date is at least one month later than the date on which the notification is received by the International Bureau.

Article 12

Termination of the Agreement

(1) This Agreement shall terminate before the expiration of the five-year period referred to in Article 10 of this Agreement:

(i) if the Authority gives the Director General of the World Intellectual Property Organization written notice to terminate this Agreement; or

(ii) if the Director General of the World Intellectual Property Organization gives the Authority written notice to terminate this Agreement.

(2) The termination of this Agreement under paragraph (1) shall take effect one year after receipt of the notice by the other party, unless a longer period is specified in such notice or unless both parties agree on a shorter period.

IN WITNESS WHEREOF the parties hereto have executed this Agreement.

DONE at Geneva, this 28th day of September 1992, in two originals in the Chinese and English languages, each text being equally authentic.

For the Authority by:
(signed) Gao Lulin
Director General
Chinese Patent Office

For the World Intellectual Property
Organization by:
(signed) A. Bogsch
Director General

ANNEX A

STATES AND LANGUAGES

Under Article 3 of the Agreement, the Authority

(i) shall act for the following States:

China,

any developing country that the Authority will specify;

(ii) specifies the following languages:

Chinese,

English.

ANNEX B

SUBJECT MATTER NOT EXCLUDED FROM SEARCH OR EXAMINATION

The subject matter set forth in Rule 39.1 or Rule 67.1 which, under Article 4 of the Agreement, is not excluded from search or examination, is the following:

Subject matter which is searched or examined in Chinese national applications.

ANNEX C

FEES AND CHARGES FOR INTERNATIONAL SEARCH
AND PRELIMINARY EXAMINATIONPart I: Schedule of Fees and Charges

<u>Kind of fee or charge</u>	<u>Amount</u> (RMB Yuan)
Search fee (Rule 16.1(a)).....	800
Additional fee (Rule 40.2(a))	800
Preliminary examination fee (Rule 58.1(b))	800
Additional fee (Rule 68.3(a))	800
Cost of copies (Rules 44.3(b), 71.2(b) and 94.1)	2 per page

Part II: Conditions and Extent of Refunds of the Search Fee and of the Preliminary Examination Fee

(1) Any amount paid by mistake, without cause, or in excess of the amount due, for fees indicated in Part I shall be refunded.

(2) Where the international application is withdrawn or is considered withdrawn, under Article 14(1), (3) or (4), before the start of the international search, the amount of the search fee paid shall be fully refunded.

(3) Where the Authority benefits from an earlier search to the full extent or to a substantially prevailing portion, 75% of the search fee paid shall be refunded.

(4) In the cases provided for under Rule 58.3, the amount of the preliminary examination fee paid shall be fully refunded.

(5) If the international application or the demand is withdrawn before the start of the international preliminary examination, the amount of the preliminary examination fee paid shall be fully refunded.

TEXT OF THE ADOPTED AMENDMENTS*

Regulations under the Patent Cooperation TreatyRule 10Terminology and Signs10.1 Terminology and Signs

(a) to (e) [No change]

(f) When the international application or its translation is in Chinese, English or Japanese, the beginning of any decimal fraction shall be marked by a period, whereas, when the international application or its translation is in a language other than Chinese, English or Japanese, it shall be marked by a comma.

10.2 [No change]

* For the dates of entry into force of the amendments, see the explanations above.

Rule 11Physical Requirements of the International Application

11.1 to 11.8 [No change]

11.9 Writing of Text Matter

(a) [No change]

(b) Only graphic symbols and characters, chemical or mathematical formulae, and certain characters in the Chinese or Japanese language may, when necessary, be written by hand or drawn.

(c) and (d) [No change]

(e) As far as the spacing of the typing and the size of the characters are concerned, paragraphs (c) and (d) shall not apply to texts in the Chinese or Japanese language.

11.10 to 11.14 [No change]

Rule 32 [New]Extension of Effects of International Application to
Certain Successor States32.1 Request for Extension of International Application to Successor State

(a) The effects of any international application whose international filing date falls in the period defined in paragraph (b) may, subject to the performance by the applicant of the acts specified in paragraph (c), be extended to a State ("the successor State") whose territory was, before the independence of that State, part of the territory of a Contracting State which subsequently ceased to exist ("the predecessor State"), provided that the successor State has become a Contracting State through the deposit, with the Director General, of a declaration of continuation the effect of which is that the Treaty is applied by the successor State.

(b) The period referred to in paragraph (a) starts on the day following the last day of the existence of the predecessor State and ends two months after the date on which the declaration referred to in paragraph (a) was notified by the Director General to the Governments of the States party to the Paris Convention for the Protection of Industrial Property. However, where the date of independence of the successor State is earlier than the date of the day following the last day of the existence of the predecessor State, the successor State may declare that the said period starts on the date of its independence; such a declaration shall be made together with the declaration referred to in paragraph (a) and shall specify the date of independence.

[Rule 32.1, continued]

(c) In respect of any international application whose filing date falls within the applicable period under paragraph (b), the International Bureau shall send the applicant a notification informing him that he may make a request for extension by performing, within three months from the date of that notification, the following acts:

(i) filing with the International Bureau the request for extension;

(ii) paying to the International Bureau an extension fee in Swiss francs, the amount of which shall be the same as the amount of the designation fee referred to in Rule 15.2(a).

(d) This Rule shall not apply to the Russian Federation.

32.2 Effects of Extension to Successor State

(a) Where a request for extension is made in accordance with Rule 32.1,

(i) the successor State shall be considered as having been designated in the international application, and

(ii) the applicable time limit under Article 22 or 39(1) in relation to that State shall be extended until the expiration of at least three months from the date of the request for extension.

[Rule 32.2, continued]

(b) Where, in the case of a successor State which is bound by Chapter II of the Treaty, the request for extension was made after, but the demand was made before, the expiration of the 19th month from the priority date, and a later election is made of the successor State within three months from the date of the request for extension, the applicable time limit under paragraph (a)(ii) shall be at least 30 months from the priority date.

(c) The successor State may fix time limits which expire later than those provided in paragraphs (a)(ii) and (b). The International Bureau shall publish information on such time limits in the Gazette.

Rule 37

Missing or Defective Title

37.1 [Amendment to the French text only]

37.2 Establishment of Title

If the international application does not contain a title and the International Searching Authority has not received a notification from the receiving Office to the effect that the applicant has been invited to furnish a title, or if the said Authority finds that the title does not comply with Rule 4.3, it shall itself establish a title. Such title shall be established in the language in which the international application is published or, if a translation was transmitted under Rule 12.1(c) and the International Searching Authority so wishes, in the language of that translation.

Rule 38Missing or Defective Abstract

38.1 [Amendment to the French text only]

38.2 Establishment of Abstract

(a) If the international application does not contain an abstract and the International Searching Authority has not received a notification from the receiving Office to the effect that the applicant has been invited to furnish an abstract, or if the said Authority finds that the abstract does not comply with Rule 8, it shall itself establish an abstract. Such abstract shall be established in the language in which the international application is published or, if a translation was transmitted under Rule 12.1(c) and the International Searching Authority so wishes, in the language of that translation.

(b) [No change]

Rule 43The International Search Report

43.1 to 43.3 [No change]

43.4 Language

Every international search report and any declaration made under Article 17(2)(a) shall be in the language in which the international application to which it relates is published or, if a translation was transmitted under Rule 12.1(c) and the International Searching Authority so wishes, in the language of that translation.

43.5 to 43.10 [No change]

Rule 48International Publication

48.1 and 48.2 [No change]

48.3 Languages

(a) If the international application is filed in Chinese, English, French, German, Japanese, Russian or Spanish, that application shall be published in the language in which it was filed.

(b) If the international application is filed in a language other than Chinese, English, French, German, Japanese, Russian or Spanish, that application shall be published in English translation. The translation shall be prepared under the responsibility of the International Searching Authority, which shall be obliged to have it ready in time to permit international publication by the prescribed date, or, where Article 64(3)(b) applies, to permit the communication under Article 20 by the end of the 19th month after the priority date. Notwithstanding Rule 16.1(a), the International Searching Authority may charge a fee for the translation to the applicant. The International Searching Authority shall give the applicant an opportunity to comment on the draft translation. The International Searching Authority shall fix a time limit reasonable under the circumstances of the case for such comments. If there is no time to take the comments of the applicant into account before the translation is communicated or if there is a difference of opinion between the applicant and the said Authority as to the correct translation, the applicant may send a copy of his comments, or what remains of them, to the International Bureau and each designated Office to which the translation was communicated. The International Bureau shall publish the essence of the comments together with the translation of the International Searching Authority or subsequently to the publication of such translation.

[Rule 48.3, continued]

(c) [No change]

48.4 to 48.6 [No change]

Rule 55

Languages (International Preliminary Examination)

55.1 Language of Demand*

The demand shall be in the language of the international application or, if the international application has been filed in a language other than the language in which it is published, in the language of publication. However, if a translation of the international application is required under Rule 55.2, the demand shall be in the language of that translation.

55.2 Translation of International Application

(a) Where the international application is neither filed nor published in the language, or one of the languages, specified in the agreement concluded between the International Bureau and the International Preliminary Examining Authority competent for the international preliminary examination of that application, that Authority may require that, subject to paragraph (b), the applicant furnish with the demand a translation of the international application into the language, or one of the languages, specified in the said agreement.

* The title has been amended to read "Language of Demand" instead of "The Demand".

[Rule 55.2, continued]

(b) Where a translation of the international application into a language referred to in paragraph (a) was transmitted to the International Searching Authority under Rule 12.1(c) and the International Preliminary Examining Authority is part of the same national Office or intergovernmental organization as the International Searching Authority, the applicant need not furnish a translation under paragraph (a). In such a case, unless the applicant furnishes a translation under paragraph (a), the international preliminary examination shall be carried out on the basis of the translation transmitted under Rule 12.1(c).

(c) If the requirement of paragraph (a) is not complied with and paragraph (b) does not apply, the International Preliminary Examining Authority shall invite the applicant to furnish the required translation within a time limit which shall be reasonable under the circumstances. That time limit shall not be less than one month from the date of the invitation. It may be extended by the International Preliminary Examining Authority at any time before a decision is taken.

(d) If the applicant complies with the invitation within the time limit under paragraph (c), the said requirement shall be considered to have been complied with. If the applicant fails to do so, the demand shall be considered not to have been submitted.

(e) Paragraphs (a) to (d) shall apply only where the International Preliminary Examining Authority has declared, in a notification addressed to the International Bureau, that it accepts to carry out international preliminary examination on the basis of the translation referred to in those paragraphs.

[Rule 55, continued]

55.3 Translation of Amendments

(a) Where a translation of the international application is required under Rule 55.2, any amendments which are referred to in the statement concerning amendments under Rule 53.9 and which the applicant wishes to be taken into account for the purposes of the international preliminary examination, and any amendments under Article 19 which are to be taken into account under Rule 66.1(c), shall be in the language of that translation. Where such amendments have been or are filed in another language, a translation shall also be furnished.

(b) Where the required translation of an amendment referred to in paragraph (a) is not furnished, the International Preliminary Examining Authority shall invite the applicant to furnish the missing translation within a time limit which shall be reasonable under the circumstances. That time limit shall not be less than one month from the date of the invitation. It may be extended by the International Preliminary Examining Authority at any time before a decision is taken.

(c) If the applicant fails to comply with the invitation within the time limit under paragraph (b), the amendment shall not be taken into account for the purposes of the international preliminary examination.

Rule 60Certain Defects in the Demand or Elections60.1 Defects in the Demand

(a) If the demand does not comply with the requirements specified in Rules 53.1, 53.2(a)(i) to (iv), 53.2(b), 53.3 to 53.8 and 55.1, the International Preliminary Examining Authority shall invite the applicant to correct the defects within a time limit which shall be reasonable under the circumstances. That time limit shall not be less than one month from the date of the invitation. It may be extended by the International Preliminary Examining Authority at any time before a decision is taken.

(b) to (g) [No change]

60.2 [No change]

Rule 61Notification of the Demand and Elections61.1 Notification to the International Bureau and the Applicant

(a) [No change]

(b) The International Preliminary Examining Authority shall promptly inform the applicant in writing of the date of receipt of the demand. Where the demand has been considered under Rules 54.4(a), 55.2(d), 57.4(c), 58.2(c) or 60.1(c) as if it had not been submitted or where an election has been considered under Rule 60.1(d) as if it had not been made, the International Preliminary Examining Authority shall notify the applicant and the International Bureau accordingly.

[Rule 61.1, continued]

(c) [No change]

61.2 to 61.4 [No change]

Rule 66

Procedure before the International Preliminary Examining Authority

66.1 to 66.8 [No change]

66.9 Language of Amendments

(a) Subject to paragraphs (b) and (c), if the international application has been filed in a language other than the language in which it is published, any amendment, as well as any letter referred to in Rule 66.8(a), shall be submitted in the language of publication.

(b) If the international preliminary examination is carried out, pursuant to Rule 55.2, on the basis of a translation of the international application, any amendment, as well as any letter referred to in paragraph (a), shall be submitted in the language of that translation.

(c) Subject to Rule 55.3, if an amendment or letter is not submitted in a language as required under paragraph (a) or (b), the International Preliminary Examining Authority shall, if practicable having regard to the time limit for establishing the international preliminary examination report, invite the applicant to furnish the amendment or letter in the required language within a time limit which shall be reasonable under the circumstances.

[Rule 66.9, continued]

(d) If the applicant fails to comply, within the time limit under paragraph (c), with the invitation to furnish an amendment in the required language, the amendment shall not be taken into account for the purposes of the international preliminary examination. If the applicant fails to comply, within the time limit under paragraph (c), with the invitation to furnish a letter referred to in paragraph (a) in the required language, the amendment concerned need not be taken into account for the purposes of the international preliminary examination.

Rule 70

The International Preliminary Examination Report

70.1 to 70.16 [No change]

70.17 Languages of the Report and the Annexes

(a) The report and any annex shall be in the language in which the international application to which they relate is published, or, if the international preliminary examination is carried out, pursuant to Rule 55.2, on the basis of a translation of the international application, in the language of that translation.

(b) [Remains deleted]

Rule 74Translations of Annexes of the International Preliminary Examination Report and Transmittal Thereof74.1 Contents of Translation and Time Limit for Transmittal Thereof

(a) Where the furnishing of a translation of the international application is required by the elected Office under Article 39(1), the applicant shall, within the time limit applicable under Article 39(1), transmit a translation of any replacement sheet referred to in Rule 70.16 which is annexed to the international preliminary examination report, unless such sheet is in the language of the required translation of the international application. The same time limit shall apply where the furnishing of a translation of the international application to the elected Office must, because of a declaration made under Article 64(2)(a)(i), be effected within the time limit applicable under Article 22.

(b) Where the furnishing under Article 39(1) of a translation of the international application is not required by the elected Office, that Office may require the applicant to furnish, within the time limit applicable under that Article, a translation into the language in which the international application was published of any replacement sheet referred to in Rule 70.16 which is annexed to the international preliminary examination report and is not in that language.

Rule 92Correspondence

92.1 [No change]

92.2 Languages

(a) Subject to Rules 55.1 and 66.9 and to paragraph (b) of this Rule, any letter or document submitted by the applicant to the International Searching Authority or the International Preliminary Examining Authority shall be in the same language as the international application to which it relates. However, where a translation of the international application has been transmitted under Rule 12.1(c) or furnished under Rule 55.2(a) or (c), the language of such translation shall be used.

(b) to (e) [No change]

92.3 and 92.4 [No change]

FEES PAYABLE UNDER THE PCT**Finland**

Pursuant to PCT Rule 16.1(d), new amounts in **Finnish Marks (FIM)**, as specified below, have been established for the search fee for an international search by the Swedish Patent Office. The new amounts are applicable as from December 1, 1992.

Search fee (international search
by the Swedish Patent Office):

- | | |
|---|-----------|
| (i) if on an earlier application the priority of which is claimed, a first office action has been issued by the Swedish Patent Office: | FIM 2,550 |
| (ii) if on an earlier application, the priority of which is claimed, a first office action has been issued by the Danish Patent Office, the National Board of Patents and Registration of Finland or the Norwegian Patent Office: | FIM 3,200 |
| (iii) in all other cases: | FIM 3,550 |

[Updating of PCT Gazette No. 18/1992, Annex D(SE), page 7767]

Malawi

Pursuant to PCT Rule 16.1(d), a new amount in **Kwacha (MWK)**, as specified below, has been established for the search fee for an international search by the European Patent Office. The new amount is applicable as from October 1, 1992.

Search fee (international search by the European Patent Office):	MWK 6,400
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[Updating of PCT Gazette No. 18/1992, Annex D(EP), page 7763]

New Zealand

Pursuant to PCT Rules 15.2(b) and 16.1(b), amounts of fees in **New Zealand Dollars (NZD)**, as specified below, have been established. The amounts are applicable as from December 1, 1992.

Basic fee:	NZD 1,124
Supplement per sheet over 30:	NZD 22
Designation fee:	NZD 272
Search fee:	
- for an international search by the Australian Patent Office:	NZD 780
- for an international search by the European Patent Office:	NZD 3,117

[Updating of PCT Gazettes No. 18/1992, Annex D(AU), page 7762, and Annex D (EP), page 7763]

**INTERNATIONAL SEARCHING AUTHORITIES
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES**

**Agreement between the European Patent Organisation and
the World Intellectual Property Organization***

Amendment to Annex C

Corrigendum

The amendment to Annex C published in PCT Gazette No. 23/1992, page 10109, contains a typographical error. The asterisk indicated next to the amount of the protest fee should be deleted. The fee reduction for nationals of developing countries does not apply to the protest fee (Rules 40.2(e) and 68.3(e)).

* Published in PCT Gazette No. 26/1987, pages 4590 to 4596, No. 19/1988, pages 4113 and 4114, No. 29/1990, page 10037, and No. 23/1992, page 10109.

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

FEES PAYABLE UNDER THE PCT

European Patent Organisation

The European Patent Office has notified new equivalent amounts in Pounds Sterling (GBP), Swedish Kroner (SEK), Lira (ITL), Peseta (ESP), Greek Drachma (GRD), Portuguese Escudos (PTE) and Irish Pounds (IEP) of fees payable to it, as specified in the revised table below. The new amounts are applicable as from November 3, 1992.

	DEM	GBP	FRF	CHF	NLG	SEK	BEF LUF	ITL	ATS	ESP	GRD	DKK	PTE	IEP
Transmittal fee:	200	89	690	180	230	810	4,200	199,000	1,430	15,200	27,400	780	18,700	79
Fee for priority document PCT Rule 17.1(b):	60	27	210	50	70	240	1,300	60,000	430	4,500	8,200	230	5,600	24
Search fee (for an international search):	2,400	1,067	8,230	2,180	2,740	9,680	50,200	2,386,000	17,140	181,800	328,800	9,390	224,300	952
Preliminary examination fee:	3,000	1,333	10,290	2,730	3,430	12,100	62,800	2,982,000	21,430	-	-	11,730	280,400	1,190
Protest fee:	2,000	889	6,860	1,820	2,290	8,060	41,900	1,988,000	14,290	151,500	274,000	7,820	186,900	794
Fee for copies (per A4 page):	1.30	0.60	4.50	1.20	1.50	5.20	25	1,300	9.30	100	180	5.10	120	0.50
National fee:	600	267	2,060	550	690	2,420	12,600	596,000	4,290	45,500	82,200	2,350	56,100	238
Search fee (for a European patent):	1,900	844	6,520	1,730	2,170	7,660	39,800	1,889,000	13,570	143,900	260,300	7,430	177,600	754
European designation fee:	350	156	1,200	320	400	1,410	7,300	348,000	2,500	26,500	47,900	1,370	32,700	139
Claims fee:	80	36	270	70	90	320	1,700	80,000	570	6,100	11,000	310	7,500	32
Examination fee:	2,800	1,244	9,610	2,550	3,200	11,290	58,600	2,783,000	20,000	212,100	383,600	10,950	261,700	1,111
Renewal fee for the third year:	750	333	2,570	680	860	3,020	15,700	746,000	5,360	56,800	102,700	2,930	70,100	290

[Updating of PCT Gazette No. 18/1992, Annex D(EP), page 7763, Annex E(EP), pages 7771 and 7772, Annex C(EP), page 7736, and Summary (EP), page 7797, and No. 23/1992, the table published on page 10109]

**INFORMATION ON CONTRACTING STATES
RECEIVING OFFICES
DESIGNATED (OR ELECTED) OFFICES**

General information on New Zealand and Portugal as new Contracting States, as well as information on the requirements of the New Zealand Patent Office and the National Institute of Industrial Property of Portugal as receiving Offices and designated (or elected) Offices is given in "Annex B1(NZ)", "Annex C(NZ)", "Summary (NZ)", "Annex B1(PT)", "Annex C(PT)" and "Summary (PT)" which are published on the following pages.

B1	Information on Contracting States	B1
NZ	NEW ZEALAND	NZ

General information

Name of Office:	New Zealand Patent Office
Location:	Levin House, 330 High Street, Lower Hutt, New Zealand
Mailing address:	P.O. Box 30687, Lower Hutt, New Zealand
Telephone:	(04) 569 44 00
Facsimile machine:	-
Teleprinter:	-
Does the Office accept the filing of documents by means of telecommunication (PCT Rule 92.4)?	No
Would the Office accept evidence of mailing a document, in case of loss or delay, where a delivery service other than the postal authorities is used (PCT Rule 82.1)?	No
Competent receiving Office for nationals and residents of New Zealand:	New Zealand Patent Office (see Annex C)
Competent designated (or elected) Office if New Zealand is designated (or elected):	New Zealand Patent Office (see Volume II)
May New Zealand be elected?	Yes (bound by Chapter II of the PCT)
Types of protection available:	Patents, patents of addition
Provisions of the law of New Zealand concerning international-type search:	None
Provisional protection after international publication:	None

[continued on next page]

B1 **Information on Contracting States** **B1****NZ** **NEW ZEALAND** **NZ**

[continued]

Information of interest if New Zealand is designated (or elected)

Time when the name and address of the inventor must be given if New Zealand is designated:

May be in the request or may be furnished later. If not already complied with within the time limit applicable under PCT Article 22 or 39(1)(a), the New Zealand Patent Office will invite the applicant to comply with the requirement within a time limit fixed in the invitation.

Does the Office disregard the priority claim if the priority document was not submitted within 16 months from the priority date under PCT Rule 17.1?

No

Are there special provisions concerning the deposit of microorganisms?

No

C**Receiving Offices****C****NZ****NEW ZEALAND PATENT OFFICE****NZ**

Competent receiving Office for nationals and residents of:	New Zealand
Language in which international applications may be filed:	English
Number of copies required by the receiving Office:	1
Competent International Searching Authority:	Australian Patent Office or European Patent Office
Competent International Preliminary Examining Authority:	Australian Patent Office or European Patent Office for international applications for which the European Patent Office has established the international search report
Fees payable to the receiving Office:	Currency: New Zealand Dollar (NZD)
Transmittal fee:	NZD 155
Basic fee:	NZD 1,124
Supplement per sheet over 30:	NZD 22
Designation fee:	NZD 272
Search fee:	See Annex D (Australian Patent Office or European Patent Office)
Fee for priority document (PCT Rule 17.1(b)):	NZD 30
Is an agent required by the receiving Office?	No
Who can act as agent?	Any individual, partnership or body corporate who resides in or has a place of business in New Zealand. A list of registered patent attorneys may be obtained from the New Zealand Patent Office.

SUMMARY**Designated
(or elected) Office****SUMMARY****NZ****NEW ZEALAND PATENT OFFICE****NZ****Summary of requirements for entry into the national phase**

Time limits applicable for the entry into the national phase:	Under PCT Article 22: 21 months from the priority date Under PCT Article 39(1): 31 months from the priority date
Translation of international application required into:	English
Required contents of the translation for the entry into the national phase: ¹	Under PCT Article 22: Description, claims (if amended, as amended only, together with any statement under PCT Article 19), any text matter of drawings, abstract Under PCT Article 39(1): Description, claims, any text matter of drawings, abstract (if any of those parts amended, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee: ¹	Currency: New Zealand Dollar (NZD) For patent: Filing fee: NZD 340 For patent of addition: Filing fee: NZD 110
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51 ^{bis}): ²	Name and address of the inventor if they have not been furnished in the "Request" part of the international application Declaration concerning the inventor and the right of the applicant to apply for a patent Address for service in New Zealand (but no representation by an agent is required) Verification of translation of international application
Who can act as agent?	Any individual, partnership or body corporate who resides in or has a place of business in New Zealand. A list of registered patent attorneys may be obtained from the New Zealand Patent Office.

¹ Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).

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.

B1 Information on Contracting States**B1****PT PORTUGAL****PT****General information**

Name of Office:	Instituto Nacional da Propriedade Industrial National Institute of Industrial Property
Location and mailing address:	Campo das Cebolas, 1100 Lisbon
Telephone:	(351-1) 888 1101, 888 5151, 888 5152, 888 5153
Facsimile machine:	(351-1) 875 308
Teleprinter:	18356 INPI P
Does the Office accept the filing of documents by means of telecommunication (PCT Rule 92.4)?	Yes, by facsimile machine or teleprinter
Which kinds of documents may be so transmitted?	All kinds of document
Must the original of the document be furnished in all cases?	Yes, within 14 days from the date of the transmission
Would the Office accept evidence of mailing a document, in case of loss or delay, where a delivery service other than the postal authorities is used (PCT Rule 82.1)?	No
Competent receiving Office for nationals and residents of Portugal:	National Institute of Industrial Property (Portugal) or European Patent Office, at the choice of the applicant ¹ (see Annex C)
Competent designated (or elected) Office if Portugal is designated (or elected):	National patent: National Institute of Industrial Property (Portugal) (see Volume II) European patent: European Patent Office (see Volume II)
May Portugal be elected?	Yes (bound by Chapter II)
Types of protection available:	National: Patents, utility models (a utility model may be sought instead of a national patent) European: Patents
Provisions of the law of Portugal concerning international-type search:	None

[continued on next page]

¹ A resident of Portugal must file an international application at the National Institute of Industrial Property if he is not claiming priority of an earlier application filed in Portugal.

B1 Information on Contracting States **B1****PT** PORTUGAL **PT**

[continued]

Provisional protection after international publication:

National protection:

After a patent has been granted, the applicant is entitled to a reasonable compensation for the period following the international publication of the international application. For that purpose, and since the international publication is not effected in Portuguese, the applicant must submit to the National Institute of Industrial Property a translation of the claims into Portuguese, accompanied by a copy of the drawings, if any. The provisional protection applies as from the date when the translated claims are made available to the public.

European protection:

After the international publication or, if that publication was effected in a language which is not one of the official languages of the European Patent Office (EPO), after the publication by the EPO of the international application submitted to the EPO in one of its official languages, the applicant must submit to the National Institute of Industrial Property a translation of the claims into Portuguese, accompanied by a copy of the drawings, if any. The provisional protection applies as from the date when the translated claims are made available to the public.

Information of interest if Portugal is designated (or elected)**For national protection**

Time when the name and address of the inventor must be given if Portugal is designated:

Must be in the request. If not already complied with within the time limit applicable under PCT Article 22 or 39(1)(a), the National Institute of Industrial Property will invite the applicant to comply with the requirement within a time limit fixed in the invitation.

Does the Office disregard the priority claim if the priority document was not submitted within 16 months from the priority date under PCT Rule 17.1?

No

Are there special provisions concerning the deposit of microorganisms?

Yes (see Annex L)

For a European patent – See European Patent Organisation (EP) in Annex B2

C	Receiving Offices	C
PT	NATIONAL INSTITUTE OF INDUSTRIAL PROPERTY (PORTUGAL)	PT

Competent receiving Office
for nationals and residents of:

Portugal

Language in which international
applications may be filed:

English, French or German

Number of copies required
by the receiving Office:

1

Competent International
Searching Authority:

European Patent Office

Competent International Preliminary
Examining Authority:

European Patent Office

Fees payable to the receiving Office:

Currency: Portuguese Escudo (PTE)

Transmittal fee:

PTE 2,500

Basic fee:

PTE 77,800

Supplement per sheet over 30:

PTE 1,500

Designation fee:

PTE 18,900

Search fee:

See Annex D (European Patent Office)

Fee for priority document
(PCT Rule 17.1(b)):

PTE 2,500

Is an agent required by
the receiving Office?

No, if the applicant resides in Portugal

Yes, if he is a non-resident

Who can act as agent?

Any person with the right to practice before the Office

SUMMARY**Designated
(or elected) Office****SUMMARY****PT****NATIONAL INSTITUTE OF INDUSTRIAL
PROPERTY (PORTUGAL)****PT****Summary of requirements for entry into the national phase**

Time limits applicable for the entry into the national phase:	Under PCT Article 22: 20 months from the priority date Under PCT Article 39(1): 30 months from the priority date
Translation of international application required into:	Portuguese
Required contents of the translation for the entry into the national phase: ¹	Under PCT Article 22: Description, claims (if amended, as amended only), any text matter of drawings, abstract Under PCT Article 39(1): Description, claims, any text matter of drawings, abstract (if any of those parts amended, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee: ¹	Currency: Portuguese Escudo (PTE) For patent Filing fee: PTE 5,000 Publication fee: PTE 6,000 Fee for the submission of each application or document: PTE 500 For a utility model: Filing fee: PTE 4,500
Exemptions, reductions or refunds of the national fee:	75% reduction if the applicant is an independent inventor or a small business (see PCT Applicant's Guide, Volume II, National Chapter PT)
Special requirements of the Office (PCT Rule 51 ^{bis}): ²	Name and address of the inventor if they have not been furnished in the "Request" part of the international application Deed of assignment or transfer if the applicant is not the inventor Appointment of an agent if the applicant is not resident in Portugal
Who can act as agent?	Any person with the right to practice before the Office

¹ If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the applicant may still file the translation and/or pay the fee within 2 months from the expiration of the applicable time limit, subject to the payment of a surcharge equal to 50% of the filing fee.

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.

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

FEES PAYABLE UNDER THE PCT

Finland, Greece, Italy, United Kingdom

Pursuant to PCT Rules 15.2(d), 16.1(d) and 57.2(e), new amounts of fees in **Finnish Marks (FIM)**, **Greek Drachma (GRD)**, **Lira (ITL)** and **Pounds Sterling (GBP)**, as specified below, have been established. The new amounts are applicable as from January 1, 1993.

Basic fee:	FIM 2,760	GRD 114,000	ITL 760,000	GBP 352
Supplement per sheet over 30:	FIM 55	GRD 2,000	ITL 15,000	GBP 7
Designation fee:	FIM 670	GRD 28,000	ITL 185,000	GBP 85
Handling fee:	FIM 845	GRD 35,000	ITL 230,000	GBP 108
Search fee (international search by the European Patent Office):	FIM 7,050			

[Updating of PCT Gazette No. 18/1992, Annex C(FI), page 7753, Annex C(GR), page 7756, Annex C(IT), page 7758, and Annex C(GB), page 7755]

INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES

Corrigendum

The footnotes relating to the handling fee in Annexes E(AT), E(EP), E(JP), E(RU) and E(SE), published in PCT Gazette No.18/1992 on pages 7784, 7786 and 7789 to 7791, stipulating that the amount is to be paid twice, do no longer apply and are to be deleted. As from July 1, 1992, only one handling fee is payable in all cases.

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

FEES PAYABLE UNDER THE PCT

Mongolia

The **Mongolian Patent and Trademark Office** has notified new amounts of fees in **Tugriks (MNT)** payable to it as designated (or elected) Office, as specified below:

National Fee:

Filing fee for patent: MNT 3,000

Claim fee for each claim
in excess of five: MNT 350

Annual fee for the period of
the 1st to the 3rd year: MNT 8,000

Fees for inventor's certificate: None

[Updating of PCT Gazette No. 18/1992, Summary (MN), page 7811]

INFORMATION ON CONTRACTING STATES

Bulgaria

The **Institute of Inventions and Rationalizations of Bulgaria** has notified a change in its location and mailing address, as specified below:

Location and
mailing address: 52B, Dr. G.M. Dimitrov Blvd
1113 Sofia
Bulgaria

[Updating of PCT Gazette No. 18/1992, Annex B1 (BG), page 7645]

SECTION IV

NOTICES AND INFORMATION OF A GENERAL CHARACTER

FEES PAYABLE UNDER THE PCT

France

The National Institute of Industrial Property of France has notified a new amount of a fee in French Francs (FRF), payable to it as receiving Office, as specified below:

Transmittal fee: FRF 400

[Updating of PCT Gazette No. 18/1992, Annex C(FR), page 7739]

Japan

Pursuant to PCT Rule 16.1(d), a new amount in Jen (JPY), as specified below, has been established for the search fee for an international search by the European Patent Office. The new amount is applicable as from February 1, 1993.

Search fee
(international search by the
European Patent Office) JPY 188,000

[Updating of PCT Gazette No. 18/1992, Annex D(EP), page 7763]

Romania

The State Office for Inventions and Trademarks of Romania has notified new amounts of fees in Leu (ROL) and in US Dollars (USD), payable to it as designated (or elected) Office, as specified below:

National fee:

Filing fee:	ROL 6,000 or USD 30
Examination fee:	ROL 90,000 or USD 450
Fee for priority claim:	ROL 10,000 or USD 50
Annual fee for the first years, per year:	ROL 16,000 or USD 80

Non-resident applicants must pay the fee in USD.

[Updating of PCT Gazette No. 18/1992, Summary (RO), page 7819]

European Patent Organisation

The European Patent Office has notified new equivalent amounts in Pounds Sterling (GBP), Swiss Francs (CHF), Swedish Kroner (SEK), Lira (ITL) and Danish Kroner (DKK) of fees payable to it, as specified in the revised table below. The new amounts are applicable as from January 5, 1993.

	DEM	GBP	FRF	CHF	NLG	SEK	BEF LUF	ITL	ATS	ESP	GRD	DKK	PTE	IEP
Transmittal fee:	200	86	690	190	230	890	4,200	182,000	1,430	15,200	27,400	790	18,700	79
Fee for priority document PCT Rule 17.1(b):	60	26	210	60	70	270	1,300	55,000	430	4,500	8,200	240	5,600	24
Search fee (for an international search):	2,400	1,030	8,230	2,220	2,740	10,670	50,200	2,182,000	17,140	181,800	328,800	9,500	224,300	952
Preliminary examination fee:	3,000	1,288	10,290	2,780	3,430	13,330	62,800	2,727,000	21,430	-	-	11,870	280,400	1,190
Protest fee:	2,000	858	6,860	1,850	2,290	8,890	41,900	1,818,000	14,290	151,500	274,000	7,910	186,900	794
Fee for copies (per A4 page):	1.30	0.60	4.50	1.20	1.50	5.80	25	1,200	9.30	100	180	5.10	120	0.50
National fee:	600	258	2,060	560	690	2,670	12,600	545,000	4,290	45,500	82,200	2,370	56,100	238
Search fee (for a European patent):	1,900	815	6,520	1,760	2,170	8,440	39,800	1,727,000	13,570	143,900	260,300	7,520	177,600	754
European designation fee:	350	150	1,200	320	400	1,560	7,300	318,000	2,500	26,500	47,900	1,390	32,700	139
Claims fee:	80	34	270	70	90	360	1,700	73,000	570	6,100	11,000	320	7,500	32
Examination fee:	2,800	1,202	9,610	2,590	3,200	12,440	58,600	2,545,000	20,000	212,100	383,600	11,080	261,700	1,111
Renewal fee for the third year:	750	322	2,570	690	860	3,330	15,700	682,000	5,360	56,800	102,700	2,970	70,100	298

[Updating of PCT Gazette No. 18/1992, Annex D(EP), page 7763, Annex E(EP), pages 7771 and 7772, Annex C(EP), page 7736, and Summary (EP), page 7797, and No. 28/1992, the table published on page 13347]

INFORMATION ON CONTRACTING STATES

France

The National Institute of Industrial Property of France has notified a change in its location and mailing address as follows:

Location and mailing address: 26 bis, rue de St. Petersbourg
F-75800 Paris Cedex 08, France

[Updating of PCT Gazette No. 18/1992, Annex B1(FR), page 7668]

New Zealand

The New Zealand Patent Office has notified a new facsimile machine number, as follows:

Facsimile machine: (04) 569 49 83

[Updating of PCT Gazette No. 28/1992, Annex B1(NZ), page 13348]

Russian Federation

The Russian Patent Office has notified the International Bureau of a change in the types of protection available in the Russian Federation, as follows:

Types of protection available: Patents, utility models

[Updating of PCT Gazette No. 18/1992, Annex B1(RU), page 7709]

Spain

The **Industrial Property Office of Spain** has notified a new facsimile machine number, as follows:

Facsimile machine: (341) 457 25 86

[Updating of PCT Gazette No. 18/1992, Annex B1(ES), page 7664]

DESIGNATED (OR ELECTED) OFFICES**Barbados, Malawi, Switzerland, OAPI**

The Offices of **Barbados, Malawi and Switzerland** as well as **OAPI** have notified the International Bureau that they have waived in part the requirement under PCT Article 20(1)(a) concerning the communication by the International Bureau of a copy of the international application. Such communication will only be made upon request by the Offices after the applicant has performed the acts required for the entry into the national phase. Notwithstanding the partial waiver, none of these Offices will request a copy of the international application from the applicant.

Finland

The **National Board of Patents and Registration of Finland** has informed the International Bureau of changes in its requirements as to the contents of the translation of the international application for the entry into the national phase, as follows:

Required contents of the translation for the entry into the national phase:

Under PCT Article 22: Description, claims (if amended, as originally filed or as amended, at applicant's option), any text matter of drawings, abstract

Under PCT Article 39(1): Description, claims, any text matter of drawings, abstract (if any of those parts amended, as originally filed or as amended by the annexes to the international preliminary examination report, at applicant's option)

[Updating of PCT Gazette No. 18/1992, Summary (FI), page 7800]

PCT CONTRACTING STATES**Ukraine****Announcement on the Provisional Regulation Concerning
Patent Protection in Ukraine**

The President of Ukraine, by his Decree of September 18, 1992, approved the Provisional Regulation on Legal Protection of Objects of Industrial Property and Rationalization Proposals in Ukraine ("Regulation"). The Regulation entered into force on September 18, 1992.

The situation of patent protection in Ukraine, resulting from the transitional provisions of the Regulation, is summarized as follows.

I. The Transitional Provisions Concerning Priority and the Carrying Out of Examination

(1) Any priority claimed within six months from the entry into force of the Regulation, i.e., until March 18, 1993, on the basis of the first filing in a State party to the Paris Convention for the Protection of Industrial Property, will be recognized even if it is claimed after 12 months from the first filing, provided that it is claimed not later than 27 months from the first filing.

(2) The applicant or any other person may submit to the Ukraine Patent Office within five years from the filing date a request for the substantive examination of an application for a patent for invention. The request must be accompanied by a search report established by an International Searching Authority under the Patent Cooperation Treaty (PCT) or an organization registered with the Ukraine Patent Office as a Searching Authority, or by evidence that an action to grant a patent has been taken by a patent office which has a substantive examination system for granting patents.

II. Patent Applications Filed with the Patent Office of the Soviet Union

(3) An applicant of an application for a patent for invention or for an inventor's certificate filed with the Patent Office of the Soviet Union may request the Ukraine Patent Office within six months from the date of entry into force of the Regulation, i.e., until March 18, 1993, that the said application be further processed according to the Regulation. The request must be accompanied by a copy of the said application, including a copy of the request showing the filing date as sent back by the Patent Office of the Soviet Union to the applicant, and by any available evidence showing that the said application still had effect on December 24, 1991. The filing date and any priority date of the said application will be maintained.

III. Patents Granted by the Patent Office of the Soviet Union

(4) Patents for inventions granted by the Patent Office of the Soviet Union prior to December 25, 1991, will, after their registration by the Ukraine Patent Office at the request of the owner and upon furnishing of a document of payment of the prescribed fee (see paragraph (9), below), be considered as having the same effects for the remaining period of their validity as patents for invention granted in accordance with the Regulation by the Ukraine Patent Office. The duration of the said validity is 20 years from the filing date of the patent application. The request must be filed within six months from the date of entry into force of the Regulation, i.e., until March 18, 1993, and must be accompanied by a copy of the patent granted by the Patent Office of the Soviet Union.

(5) As regards inventors' certificates granted by the Patent Office of the Soviet Union in relation to which a 20-year term counted from the filing date of the application has not expired before the entry into force of the Regulation, i.e., prior to September 18, 1992, the Ukraine Patent Office will grant, at the request of the inventor (inventors) and with the consent of the applicant, a Ukrainian patent to the inventor himself, or to any other physical or legal person, with their consent, indicated in the request, or to the Ukrainian Inventions Foundation. If the said request is not made within the period of one year after the entry into force of the Regulation, i.e., until September 18, 1993, inventors' certificates granted by the Patent Office of the Soviet Union shall be exchanged for Ukrainian patents granted to the Ukrainian Inventions Foundation. Any Ukrainian patent to which this paragraph applies will be valid until the expiration of 20 years from the filing date of the application.

IV. Effects in Ukraine of International Applications Under the Patent Cooperation Treaty (PCT)

(6)(a) As regards any international application whose international filing date is prior to December 25, 1991, and in which the Soviet Union has been designated, the "national filing effect" of any such application under PCT Article 11(4) will, pursuant to the deposit by Ukraine of its declaration of continuation, be recognized in Ukraine (provided that the international application had not lost its effect in the Soviet Union by December 24, 1991). The conditions under which any such international application, or any patent or inventor's certificate resulting therefrom and granted by the Patent Office of the Soviet Union, may continue to have effect in Ukraine are the following:

(i) if a patent for invention or an inventor's certificate has been granted by the Patent Office of the Soviet Union on the basis of the international application, the conditions described in paragraphs (4) and (5), above, are applicable;

(ii) if the applicant has entered the national phase before the Patent Office of the Soviet Union but a patent for invention or an inventor's certificate had not been granted by that Office without the application having been rejected by that Office, the applicant must, until March 18, 1993,

-- furnish to the Ukraine Patent Office a copy of the Russian translation submitted to the Patent Office of the Soviet Union and any available evidence showing that the application still had effect on December 24, 1991,

-- file the request referred to in paragraph (3), above, with the Ukraine Patent Office and

-- furnish to the Ukraine Patent Office a document of payment of the prescribed fee (see paragraph (9), below);

(iii) if the applicant has not entered the national phase before the Patent Office of the Soviet Union and the time limit for entering the national phase before that Office had not expired on December 24, 1991, the applicant must, until March 18, 1993, furnish to the Ukraine Patent Office a translation of the international application into Ukrainian or Russian and a document of payment of the prescribed fee (see paragraph (9), below).

(b) As regards any international application whose international filing date is later than December 24, 1991, see PCT Gazette No. 26/1992, pages 11911 to 11914)

V. New Applications

(7) From the date of entry into force of the Regulation, i.e., from September 18, 1992, onwards, applications for patents for inventions can be filed with the Ukraine Patent Office. The request as a part of the application must be filed in Ukrainian and be accompanied on the filing date by the prescribed fee. Other parts of the application may be presented in Ukrainian or Russian. They may also be presented in English, French or German, provided that a translation into Ukrainian is presented upon request of the Ukraine Patent Office.

VI. Procedural Provisions

(8) If an applicant does not have his ordinary residence or principal place of business in Ukraine, he must authorize a representative in Ukraine, and all applications and requests referred to in the present announcement must be filed through the intermediary of such a representative. The list of persons who can act as representatives is available at the Ukraine Patent Office.

(9) The amounts of the fees which are referred to as "prescribed fees" in the present announcement as well as the kind of document which constitutes a "document of payment of the prescribed fee" will be published in a separate announcement.

VII. Address of the Patent Office

Ukraine Patent Office
26, bulvar Lesi Ukrainki
252133 Kiev
Ukraine

Tel.: (7044) 293 21 88
Fax.: (7044) 295 63 00

Further information on **Ukraine** as a well as the information on the requirements of the **Ukraine Patent Office** as receiving Office and designated (or elected) Office is given in "Annex B1(UA)," "Annex C(UA)" and "Summary (UA)" which are published on pages 15241 to 15245.

ADMINISTRATIVE INSTRUCTIONS UNDER THE PCT

ANNEX F - FORMS

Modification of Forms PCT/RO/101 (Request) and PCT/IPEA/401 (Demand)

The Request Form and Demand Form have been modified consequent to the accession by **Ireland, New Zealand, Portugal and Ukraine** to the PCT, as well as the continuation of the membership in the PCT of the **Czech Republic** and the **Slovak Republic** as successor States of **Czechoslovakia** which, as from January 1, 1993, will no longer exist. The modifications also take into account some changes in the PCT Regulations and in national legislation of certain PCT member States. The modifications concern the "second" and the "last" sheets of the Request, the Notes to the Request and the Fee Calculation Sheet relating to the Request, as well as the "supplemental sheet" of the Demand, the Notes relating to the Demand and the Fee Calculation Sheet. The modified sheets are dated "January 1993." The modifications take effect on January 1, 1993. All the other sheets of the Forms, dated "July 1992", have not been modified.

The modified "second sheet" and "last sheet" of the Request, the Notes to the Request and the Fee Calculation Sheet relating to the Request, as well as the "supplemental sheet" of the Demand, the Notes relating to the Demand and the Fee Calculation Sheet (all not paginated so as to enable convenient reproduction), are reproduced on the following pages.

Only the updated versions should be used for international applications filed after January 1, 1993. Copies can be obtained free of charge from the receiving Offices.

ANNEX C - FORMATS FOR NUCLEOTIDE AND/OR AMINO ACID SEQUENCE LISTINGS IN MACHINE READABLE FORM

Modification of Annex C - Requirements of the European Patent Office

The European Patent Office has notified the International Bureau that nucleotide and/or amino acid sequence listings must be furnished as from January 1, 1993 in machine readable form on diskette complying with the details laid down in Annex C of the Administrative Instructions as modified below. The modifications take effect on January 1, 1993.

European Patent Office

Machine readable form on diskette is required. The diskette shall be readable on one of the computer/operating-system configurations or comply with the specified format described in subparagraphs (a) and (b) below:

(a) Computer: IBM PC/XT/AT, IBM PS/2 or compatibles;

Operating System PC-DOS or MS-DOS (Versions 2.1 or above);

Line Terminator: Carriage Return plus Line Feed;

Pagination: Form Feed or Series of Line Terminators;

End-of-File: Ctrl-Z;

Media: Diskette - 5.25 inch, 360 Kb storage;
Diskette - 5.25 inch, 1.2 Mb storage;
Diskette - 3.50 inch, 730 Kb storage;
Diskette - 3.50 inch, 1.44 Mb storage;

Print command: PRINT filename.extension

(b) Apple Macintosh;

Operating system: Macintosh;

Macintosh File Type: Text with line termination;

Line Terminator: Pre-defined by text type file;

Pagination: Pre-defined by text type file;

Media: Diskette - 3.50 inch, 400 Kb storage;
Diskette - 3.50 inch, 800 Kb storage;
Diskette - 3.50 inch, 1.4 Mb storage;

Print command: Use PRINT command from any Macintosh application that processes text files, such as MacWrite or TeachText.

The EPO recommends the use of the PatentIn software for the preparation of the sequence listings.

Together with the diskette, the applicant has to file a statement of conformity between the content of the diskette and the listing in written form, as follows: "It is hereby stated that the information recorded on the data carrier is identical to the written sequence listing".

(For more details, see Supplement No. 2 to OJ EPO 12/1992).

B1 Information on Contracting States**B1****UA****UKRAINE****UA****General information**

Name of Office:	Derzhavne patentne vidomstvo Ukrainy Ukraine Patent Office
Location and mailing address:	26, bulvar Lesi Ukrainki, 252133 Kiev, Ukraine
Telephone:	(044) 293 21 88 (Patent Office) (044) 295 85 88, 295 82 40 (Receiving Office)
Facsimile machine:	(044) 295 63 00
Teleprinter:	—
Does the Office accept the filing of documents by means of telecommunication (PCT Rule 92.4)?	Yes, by facsimile machine
Which kinds of documents may be so transmitted?	All kinds of documents
Must the original of the document be furnished in all cases?	Yes, within 14 days from the date of the transmission, if the transmitted document is an international application or a replacement sheet containing corrections or amendments of an international application. No, only upon invitation in the case of other documents.
Would the Office accept evidence of mailing a document, in case of loss or delay, where a delivery service other than the postal authorities is used (PCT Rule 82.1)?	Yes, provided that the delivery service is DHL or Federal Express
Competent receiving Office for nationals and residents of Ukraine:	Ukraine Patent Office (see Annex C)
Competent designated (or elected) Office if Ukraine is designated (or elected):	Ukraine Patent Office (see Volume II)
May Ukraine be elected?	Yes (bound by Chapter II of the PCT)
Types of protection available:	Patents
Provisions of the law of Ukraine concerning international-type search:	None
Provisional protection after international publication:	After international publication, the furnishing of a translation into Russian or Ukrainian or, if the international application was filed in Russian, of a copy of the application as filed, gives the applicant provisional protection in the sense that he, upon grant of the patent, is entitled to damages. Damages are limited to what is judged reasonable under the circumstances and the protection is limited to what is claimed in both the application and the patent. See Article 43 of the Provisional Regulations under the Presidential Decree of 1992.

[continued on next page]

B1 **Information on Contracting States** **B1****UA** **UKRAINE** **UA**

[continued]

Information of interest if Ukraine is designated (or elected)

Time when the name and address
of the inventor must be given
if Ukraine is designated:

Must be in the request. If the data concerning the inventor are
missing at the expiry of the time limit under PCT Article 22
or 39(1)(a), the Ukraine Patent 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.

Does the Office disregard the priority
claim if the priority document was not
submitted within 16 months from the
priority date under PCT Rule 17.1?

No

Are there special provisions concerning
the deposit of microorganisms?

Yes (see Annex L)

C **Receiving Offices** **C**
UA **UKRAINE PATENT OFFICE** **UA**

Competent receiving Office for nationals and residents of:	Ukraine
Language in which international applications may be filed:	Russian or English
Number of copies required by the receiving Office:	3
Competent International Searching Authority:	Russian Patent Office or European Patent Office
Competent International Preliminary Examining Authority:	Russian Patent Office or European Patent Office for international applications for which the European Patent Office has established the international search report
Fees payable to the receiving Office:	Currency: Karbovantes (UAK) ¹
Transmittal fee:	UAK ¹ ...
Basic fee:	Equivalent in UAK of Swiss Francs 762
Supplement per sheet over 30:	Equivalent in UAK of Swiss Francs 15
Designation fee:	Equivalent in UAK of Swiss Francs 185
Search fee:	See Annex D (Russian Patent Office or European Patent Office)
Fee for priority document (PCT Rule 17.1(b)):	UAK ¹ ...
Is an agent required by the receiving Office?	No, if applicant resides in the Ukraine Yes, if he is a non-resident
Who can act as agent?	Any person registered to practice before the Ukraine Patent Office

¹ The amounts of fees in Karbovanets are not yet known. They will be fixed in the near future and will be subject to periodical revision. The Office or the agent should be consulted for the latest applicable schedule of fees.

SUMMARY**Designated
(or elected) Office****SUMMARY****UA****UKRAINE PATENT OFFICE****UA****Summary of requirements for entry into the national phase**

Time limits applicable for the entry into the national phase:	Under PCT Article 22: 21 months from the priority date Under PCT Article 39(1): 31 months from the priority date
Translation of international application required into: ¹	Russian or Ukrainian
Required contents of the translation for the entry into the national phase: ¹	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended together with any statement under PCT Article 19), any text matter of drawings, abstract Under PCT Article 39(1): Description, claims, any text matter of drawings, abstract (if any of those parts amended, both as originally filed and as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:	Currency: Karbovanets (UAK) ² Filing fee: ³ UAK ² ...
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51 ^{bis}): ⁴	Inventor's declaration Instrument of assignment where the applicant is not the inventor Instrument of assignment of the priority application where the applicants are not identical Appointment of an agent if applicant is not resident in Ukraine
Who can act as agent?	Any person registered to practice before the Ukraine Patent Office

¹ Must be furnished within two months from the expiration of the time limit applicable under PCT Article 22 or 39(1).

² Amounts of fees in Karbovanets are not yet known. They will be fixed in the near future and will be subject to periodical revision. The Office or the agent should be consulted for the latest applicable schedule of fees.

³ Must be paid within the time limit applicable under PCT Article 22 or 39(1).

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.

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: agent 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.

Fascimile No.

Teleprinter No.

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.V DESIGNATION OF STATES

The following designations are hereby made under Rule 4.9(a) *(mark the applicable check-boxes; at least one must be marked)*:

Regional Patent

EP European Patent: AT Austria, BE Belgium, CH and LI Switzerland and Liechtenstein, DE Germany, DK Denmark, ES Spain, FR France, GB United Kingdom, GR Greece, IE Ireland, IT Italy, LU Luxembourg, MC Monaco, NL Netherlands, PT Portugal, SE Sweden, and any other State which is a Contracting State of the European Patent Convention and of the PCT

OA OAPI Patent: Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Congo, Côte d'Ivoire, Gabon, Guinea, Mali, Mauritania, Senegal, 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"/> AT Austria | <input type="checkbox"/> MG Madagascar |
| <input type="checkbox"/> AU Australia | <input type="checkbox"/> MN Mongolia |
| <input type="checkbox"/> BB Barbados | <input type="checkbox"/> MW Malawi |
| <input type="checkbox"/> BG Bulgaria | <input type="checkbox"/> NL Netherlands |
| <input type="checkbox"/> BR Brazil | <input type="checkbox"/> NO Norway |
| <input type="checkbox"/> CA Canada | <input type="checkbox"/> NZ New Zealand |
| <input type="checkbox"/> CH and LI Switzerland and Liechtenstein | <input type="checkbox"/> PL Poland |
| <input type="checkbox"/> CZ Czech Republic | <input type="checkbox"/> PT Portugal |
| <input type="checkbox"/> DE Germany | <input type="checkbox"/> RO Romania |
| <input type="checkbox"/> DK Denmark | <input type="checkbox"/> RU Russian Federation |
| <input type="checkbox"/> ES Spain | <input type="checkbox"/> SD Sudan |
| <input type="checkbox"/> FI Finland | <input type="checkbox"/> SE Sweden |
| <input type="checkbox"/> GB United Kingdom | <input type="checkbox"/> SK Slovak Republic |
| <input type="checkbox"/> HU Hungary | <input type="checkbox"/> UA Ukraine |
| <input type="checkbox"/> JP Japan | <input type="checkbox"/> US United States of America |
| <input type="checkbox"/> KP Democratic People's Republic of Korea | |
| <input type="checkbox"/> KR Republic of Korea | |
| <input type="checkbox"/> LK Sri Lanka | |
| <input type="checkbox"/> LU Luxembourg | |

Check-boxes reserved for designating States (for the purposes of a national patent) which have become party to the PCT after issuance of this sheet:

In addition to the designations made above, the applicant also makes under Rule 4.9(b) all designations which would be permitted under the PCT except the designation(s) of _____ .
 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 of a designation consists of the filing of a notice specifying that designation and the payment of the designation and confirmation fees. Confirmation must reach the receiving Office within the 15-month time limit.)*

Box No. VI PRIORITY CLAIM Further priority claims are indicated in the Supplemental Box

The priority of the following earlier application(s) is hereby claimed:

Country (in which, or for which, the application was filed)	Filing Date (day/month/year)	Application No.	Office of filing (only for regional or international application)
item (1)			
item (2)			
item (3)			

Mark the following check-box if the certified copy of the earlier application is to be issued by the Office which for the purposes of the present international application is the receiving Office (a fee may be required):

The receiving Office is hereby requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) identified above as item(s) : _____

Box No. VII EARLIER SEARCH

Fill in where a search (international, international-type or other) by the International Searching Authority has already been carried out or requested and the Authority is now requested to base the international search, to the extent possible, on the results of that earlier search. Identify such search or request either by reference to the relevant application (or the translation thereof) or by reference to the search request:

Country (or regional Office): _____ Date (day/month/year): _____ Number: _____

Box No. VIII CHECK LIST

<p>This international application contains the following number of sheets:</p> <p>1. request : sheets</p> <p>2. description : sheets</p> <p>3. claims : sheets</p> <p>4. abstract : sheets</p> <p>5. drawings : sheets</p> <p style="text-align: right;">Total : sheets</p>	<p>This international application is accompanied by the item(s) marked below:</p> <p>1. <input type="checkbox"/> separate signed power of attorney</p> <p>2. <input type="checkbox"/> copy of general power of attorney</p> <p>3. <input type="checkbox"/> statement explaining lack of signature</p> <p>4. <input type="checkbox"/> priority document(s) identified in Box No. VI as item(s):</p> <p>5. <input type="checkbox"/> fee calculation sheet</p> <p>6. <input type="checkbox"/> separate indications concerning deposited microorganisms</p> <p>7. <input type="checkbox"/> nucleotide and/or amino acid sequence listing (diskette)</p> <p>8. <input type="checkbox"/> other (specify):</p>
--	---

Figure No. _____ of the drawings (if any) should accompany the abstract when it is published.

Box No. IX SIGNATURE OF APPLICANT OR AGENT

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 request).

For receiving Office use only	
<p>1. Date of actual receipt of the purported international application:</p> <p>3. Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application:</p> <p>4. Date of timely receipt of the required corrections under PCT Article 11(2):</p> <p>5. International Searching Authority specified by the applicant: ISA /</p>	<p>2. Drawings:</p> <p><input type="checkbox"/> received:</p> <p><input type="checkbox"/> not received:</p> <p>6. <input type="checkbox"/> Transmittal of search copy delayed until search fee is paid</p>

For International Bureau use only

Date of receipt of the record copy by the International Bureau:

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 publication of WIPO. 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)).

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, i.e., 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 national or resident (Article 11(1)(i)). If the application is not filed with a competent receiving Office, it will not be accorded an international filing date.

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. (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 national or resident of a PCT Contracting State for which the receiving Office acts (Articles 9 and 11(1)(i) and Rule 18). If the United States of America is designated, all of the inventors must be named as applicants (as well as inventors) 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.

Nationality (Rules 4.5(a) and (b) and 18.2): For each applicant, the nationality must be indicated by the name of the State (i.e., 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): Each applicant's State (i.e., country) of residence must be indicated. 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 country codes appearing in WIPO Standard ST.3 and in the PCT Applicant's Guide, Annex A, 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 as applicants for the United States of America and the check-box "This person is also inventor" (in Box No. II) 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, 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 (e.g., 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

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.

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 may 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" in Box No. IV 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 and usual 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 below: Precautionary Designation of States Subject to Confirmation.*

European patent (EP): Note that **Belgium, France, Greece, Ireland, Italy and Monaco**, can only be designated for the purposes of a European patent and not for the purposes of national protection.

If a European patent is desired for only some of the Contracting States of the European Patent Convention, the names of those States for which no European patent is desired may be deleted by striking them out. However, it is recommended that the applicant always designate all possible Contracting States of the European Patent Convention. A decision to proceed with only some of those designations need not be made until entry into the European regional phase before the European Patent Office, at which stage the European designation fees must be paid to that Office.

Where a European patent is desired, only one PCT designation fee must be paid for the EP designation, independently of how many States are designated for a European patent.

Where any of the States party to the European Patent Convention and the PCT are designated both for the purposes of a European patent and for the purposes of national protection, the applicant must pay one designation fee in respect of the European patent and as many designation fees as there are national patents or other titles of protection sought (Rule 15.1(ii) and Section 210).

OAPI patent (OA): 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 national title other than a patent is desired, write after the name of that country on the dotted line the name of the title; that is, "petty patent" (available in Australia), "utility model" (available in Brazil, the Czech Republic, Denmark, Germany, Hungary, Japan, Poland, Portugal, the Republic of Korea, the Russian Federation, the Slovak Republic, Spain, OAPI) or "inventor's certificate" (available in Bulgaria, the Democratic People's Republic of Korea, Mongolia). Where, in the Czech Republic, Denmark, Germany or the Slovak Republic (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 Australia, Austria, Bulgaria, Germany, Malawi, Mongolia, New Zealand, Spain), “certificate of addition” (available in Luxembourg, OAPI), “inventor’s certificate of addition” (available in Bulgaria, Mongolia), “continuation” or “continuation-in-part” (both available in the 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 grant of the parent title or the date of filing of the parent application, as the case may be (see item I(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).

For the designation, for the purposes of a national patent, of a State which has become party to the PCT after the date appearing on the bottom of the second sheet of the request form, the name of the State, preferably preceded by the two-letter country code, must be given 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 indicating the applicant’s wish to make, 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 country code of that State should be indicated in the space provided. 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 among 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 ten 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 (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 *country* in which the earlier application from which priority is claimed was filed (or, where the earlier application is a regional or an international application, at least one country for which it was filed), the *date* on which it was filed and the *number* it was assigned. If the country and the date are not indicated, the priority claim will, for the purposes of the procedure under the Treaty, be considered not to have been made.

If the earlier application is a regional or an international application, the Office with which that application was filed must also be indicated.

If the application number of the earlier application is not indicated in the request but is furnished by the applicant to the receiving Office or to the International Bureau prior to the expiration of the 16th month from the priority date, it is considered by all designated States to have been furnished in time.

Certified Copy of Earlier Application (Priority Document) (Rule 17.1): The priority document must be submitted to the receiving Office or to the International Bureau before the expiration of 16 months from the priority date or, where an early start of the national phase is requested, not later than at the time such request is made.

Where the priority document is issued by the receiving Office, the applicant may, instead of submitting the priority document, request the receiving Office to prepare and transmit the priority document to the International Bureau. Such request may be made by marking the applicable check-box and by identifying the document. *Attention:* where such a request is made, the applicant must pay to the receiving Office the applicable *fee for priority document*, otherwise, the request will be considered not to have been made.

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 each of the number of the day, the number of the month and the last two numbers of the year, in that order and separated by periods, e.g., “05 March 1992 (05.03.92)”.

BOX No. VII

Earlier Search (Rules 4.11 and 41.1): The earlier search, if any, must be identified in such a manner that the International Searching Authority (ISA) can retrieve the results easily. Where those results can be used, the Authority may refund the international search fee or a portion thereof.

BOX No. VIII

The number of sheets of the various parts of the international application must be given in the check list in Arabic numerals and the applicable check-boxes must be marked.

Check-box No. 6: Separate Indications Concerning Deposited Microorganisms (Rule 13*bis* and Section 209): Mark this check-box where a filled-in Form PCT/RO/134 or any separate sheet containing indications concerning deposited microorganisms is filed with the international application. This is not the case if Japan is designated; in that case, Form PCT/RO/134 or any other sheet containing the said indications must be included as one of the sheets of the description.

Check-box No. 7: Nucleotide and/or Amino Acid Sequence Listing (Rule 5.2): Where the description of the international application contains disclosure of a nucleotide and/or amino acid sequence, and a copy of the sequence listing is required in machine readable form by the ISA, the applicant may furnish the listing in machine readable form to the receiving Office with the international application. If this is the case, check-box No. 7 must be marked.

BOX No. IX

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 where a separate power of attorney appointing the agent, or a copy of a general power of attorney already in the possession of the receiving Office is furnished. If the power is not attached to the request, the receiving Office will invite the applicant to furnish it subsequently.

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 the other applicant(s). The statement must satisfy the receiving Office. If such a statement is filed with the international application, check-box No. 3 in Box No. VIII 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 at the top of that Box.

Statement Concerning Non-Prejudicial Disclosures or Exceptions to Lack of Novelty: Such a statement, unless contained in the description, may be given in this Box. It should comply with the national law applicable by the designated Office to which the statement is addressed.

GENERAL REMARKS

Language of Correspondence (Rule 92.2 and Section 104): Any letter from the applicant to the receiving Office must be in the same language as the international application to which it relates; 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 or the International Preliminary Examining Authority (IPEA) must be in the same language as the international application to which it relates if this language is English, French, German, Japanese, Russian or Spanish; otherwise, it must be in English. However, the ISA or the IPEA 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, the claim(s), the abstract, the drawings (if any). All sheets constituting the international application must be numbered in consecutive Arabic numerals with three separate series of numbers: the first applying to the request, the second applying to the part consisting of the description, the claim(s) and the abstract, and the third applying to the drawings. The numbers 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).

Indication of the Applicant's or Agent's File Reference on the Sheets of the Description, Claim(s), Abstract and Drawings (if any) (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 in relation to the international application, indicate the name of the Authority which is chosen to carry out the international search.)

3. INTERNATIONAL FEE

Basic Fee

The international application contains _____ sheets.

first 30 sheets b₁

_____ x _____ = b₂

remaining sheets additional amount

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

Designation Fee

_____ x _____ = D

number of designations amount of designation fee

(If that total exceeds the figure which corresponds to the amount of the designation fee multiplied by ten, enter the latter figure in box D.)

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

4. FEE FOR PRIORITY DOCUMENT P

5. TOTAL FEES PAYABLE

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

The designation fee is not paid at this time.

MODE OF PAYMENT

- | | | |
|---|---|---|
| <input type="checkbox"/> authorization to charge
deposit account (see below) | <input type="checkbox"/> bank draft | <input type="checkbox"/> coupons |
| <input type="checkbox"/> cheque | <input type="checkbox"/> cash | <input type="checkbox"/> other (specify): |
| <input type="checkbox"/> postal money order | <input type="checkbox"/> revenue stamps | |

DEPOSIT ACCOUNT AUTHORIZATION *(this mode of payment may not be available at all receiving Offices)*

- The RO/ _____ is hereby authorized to charge the total fees indicated above to my deposit account.
- is hereby authorized to charge any deficiency or credit any overpayment in the total fees indicated above to my deposit account.
- is hereby authorized to charge the fee for preparation and transmittal of the priority document to the International Bureau of WIPO to my deposit account.

Deposit Account Number _____

Date (day/month/year) _____

Signature _____

Supplemental Box No. V ELECTION OF STATES

*This Supplemental Box is to be used only if the check-box "(ii)" in Box No. V is marked.
If this Supplemental Box is not used, do not include this sheet in the demand.*

The following designated States are hereby elected :

Regional Patent

EP European Patent: AT Austria, BE Belgium, DE Germany, DK Denmark, FR France, GB United Kingdom, IE Ireland, IT Italy, LU Luxembourg, MC Monaco, NL Netherlands, PT Portugal, SE Sweden, and any other State which is a Contracting State of the European Patent Convention and of the PCT (including Chapter II thereof)

OA OAPI Patent: Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Congo, Côte d'Ivoire, Gabon, Guinea, Mali, Mauritania, Senegal, Togo, and any other State which is a member State of OAPI and a Contracting State of the PCT (including Chapter II thereof)

National Patent

AT Austria

AU Australia

BB Barbados

BG Bulgaria

BR Brazil

CA Canada

CZ Czech Republic

DE Germany

DK Denmark

FI Finland

GB United Kingdom

HU Hungary

JP Japan

KP Democratic People's Republic of Korea

KR Republic of Korea

LK Sri Lanka

LU Luxembourg

MG Madagascar

MN Mongolia

MW Malawi

NL Netherlands

NO Norway

NZ New Zealand

PL Poland

PT Portugal

RO Romania

RU Russian Federation

SD Sudan

SE Sweden

SK Slovak Republic

UA Ukraine

US United States of America

Check-boxes reserved for electing States (for the purposes of a national patent) which have become party to the PCT (including Chapter II thereof) or bound by Chapter II of the PCT after issuance of this sheet:

-
-
-
-

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 publication of WIPO. 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 black ink (Rules 11.9(a) and (b) and 11.14).

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 Annex C of Volume I of the PCT Applicant's Guide). 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.

When Must the Demand be Filed (Article 39(1))? The demand must be filed before the expiration of *19 months from the priority date* in order to extend the time limit for entering the national phase of the PCT procedure from 20 to 30 months from the priority date. *Warning:* if the demand is filed later, the national phase will not be delayed in respect of the elected States and the applicant must enter the national phase before the expiration of the time limit applicable under Article 22 (which is usually 20 months from the priority date).

In Which Language Must the Demand be Filed (Rule 55.1)? The demand must be filed in the language of the international application if that language is English, French, German, Japanese or Russian; otherwise, the demand must be filed in English.

What is the Language of Correspondence (Rules 66.9 and 92.2, 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, the IPEA may authorize the use of another language for letters which do not contain or relate to amendments of the international application, whereas amendments and letters relating thereto must be in the language of publication. 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.

Which Fees Must be Paid and When (Rules 57 and 58)? At the time the demand is submitted, the applicant must pay the preliminary examination and handling fees. For details concerning the payment of those fees, see the Fee Calculation 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 numbers of the year, in that order, and separated by periods, e.g., "05 March 1992 (05.03.92)". 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 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 (Form PCT/RO/101). 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 for different designated States are indicated in the request part of the international application, indicate 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).

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).

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 check-box (i) where the international preliminary examination should start on the basis of the international application as filed.

Mark check-boxes (ii) and/or (iii) where amendments are to be taken into account and 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 (iv) 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 that these amendments be taken into account for the purpose of international preliminary examination when the latter starts (Rule 53.9(a)(ii)).

Mark check-box (v) 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 Box No. IV.

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 (i.e., 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".

If all eligible States are to be elected, mark check-box "(i)". Do *not* fill in the Supplemental Box No. V; discard the supplemental sheet.

If only some of the eligible States are to be elected, mark check-box "(ii)" and fill in the Supplemental Box No. V (see below).

SUPPLEMENTAL BOX No. V

This Supplemental Box is to be filled in *only* where check-box "(ii)" is marked in Box No. V.

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. If a *European patent* is desired and only some of the Contracting States of the European Patent Convention have been designated for a European patent in the international application, the names of the other such States must be crossed out. *Greece, Spain, Switzerland and Liechtenstein* are not listed in this Box because they are not bound by Chapter II and cannot be elected; however, if they have been designated in the international application for a European patent together with at least one other Contracting State of the European Patent Convention bound by Chapter II, the time limit under Article 39(1) applies also with respect to those States if the other State has been elected before the expiration of 19 months from the priority date.

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.

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 for international preliminary examination

International application No.	For International Preliminary Examining Authority use only									
Applicant's or agent's file reference	Date stamp of the IPEA									
Applicant										
<p>Calculation of prescribed fees</p> <p>1. Preliminary examination fee <input style="width: 150px;" type="text"/> P</p> <p>2. Handling fee <input style="width: 150px;" type="text"/> H</p> <p>3. Total of prescribed fees Add the amounts entered at P and H and enter total in the TOTAL box</p> <div style="border: 1px solid black; width: 150px; height: 20px; margin-left: 100px; text-align: center; padding: 2px;">TOTAL</div>										
<p>Mode of Payment</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><input type="checkbox"/> authorization to charge deposit account (see below)</td> <td style="width: 50%;"><input type="checkbox"/> cash</td> </tr> <tr> <td><input type="checkbox"/> cheque</td> <td><input type="checkbox"/> revenue stamps</td> </tr> <tr> <td><input type="checkbox"/> postal money order</td> <td><input type="checkbox"/> coupons</td> </tr> <tr> <td><input type="checkbox"/> bank draft</td> <td><input type="checkbox"/> other (specify):</td> </tr> </table>			<input type="checkbox"/> authorization to charge deposit account (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 (specify):
<input type="checkbox"/> authorization to charge deposit account (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 (specify):									
<p>Deposit Account Authorization <i>(this mode of payment may not be available at all IPEAs)</i></p> <p>The IPEA/ _____ <input type="checkbox"/> is hereby authorized to charge the total fees indicated above to my deposit account.</p> <p><input type="checkbox"/> is hereby authorized to charge any deficiency or credit any overpayment in the total fees indicated above to my deposit account.</p>										
Deposit Account Number	Date (day/month/year)	Signature								