



Treaty Series No. 14 (2001)

# Amendments

to the

## Regulations under the Patent Cooperation Treaty (PCT)

Adopted by the Assembly of the International Patent Cooperation  
Union (PCT Union) at its twenty-seventh (12th ordinary) session on  
29 September 1999

[The Amendments entered into force on 1 January 2000]

*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
February 2001*

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**AMENDMENTS TO THE REGULATIONS UNDER THE PATENT  
COOPERATION TREATY (PCT) ADOPTED BY THE ASSEMBLY OF THE  
INTERNATIONAL PATENT COOPERATION UNION (PCT UNION) AT ITS  
TWENTY-SEVENTH (12TH ORDINARY) SESSION ON 29 SEPTEMBER 1999**

**AMENDMENTS**

**Rule 4**

**THE REQUEST (CONTENTS)**

4.1 to 4.9 [No change]

4.10 Priority Claim

- (a) Any declaration referred to in Article 8(1) (“priority claim”) may claim the priority of one or more earlier applications filed either in or for any country party to the Paris Convention for the Protection of Industrial Property or in or for any Member of the World Trade Organization that is not party to that Convention. Any priority claim shall, subject to Rule 26*bis*. 1, be made in the request; it shall consist of a statement to the effect that the priority of an earlier application is claimed and shall indicate:
- (i) the date on which the earlier application was filed, being a date falling within the period of 12 months preceding the international filing date;
  - (ii) the number of the earlier application;
  - (iii) where the earlier application is a national application, the country party to the Paris Convention for the Protection of Industrial Property or the Member of the World Trade Organization that is not party to that Convention in which it was filed;
  - (iv) where the earlier application is a regional application, the authority entrusted with the granting of regional patents under the applicable regional patent treaty;
  - (v) where the earlier application is an international application, the receiving Office with which it was filed.
- (b) In addition to any indication required under paragraph (a)(iv) or (v):
- (i) where the earlier application is a regional application or an international application, the priority claim may indicate one or more countries party to the Paris Convention for the Protection of Industrial Property for which that earlier application was filed;
  - (ii) where the earlier application is a regional application and at least one of the countries party to the regional patent treaty is neither party to the Paris Convention for the Protection of Industrial Property nor a Member of the World Trade Organization, the priority claim shall indicate at least one country party to that Convention or one Member of that Organization for which that earlier application was filed.
- (c) For the purposes of paragraphs (a) and (b), Article 2(vi) shall not apply.
- (d) If, on September 29, 1999, paragraphs (a) and (b) as amended with effect from January 1, 2000, are not compatible with the national law applied by a designated Office, those paragraphs as in force until December 31, 1999, shall continue to apply after that date in respect of that designated Office for as long as the said paragraphs as amended continue not to be compatible with that law, provided that the said Office informs the International Bureau accordingly by October 31, 1999. The information received shall be promptly published by the International Bureau in the Gazette.

4.11 to 4.17 [No Change]

**SCHEDULE OF FEES**  
*as in force from January 1, 2000*

| <b>Fees</b>   | <b>Amounts</b>   |
|---|--|
| 1. Basic Fee:<br>(Rule 15.2(a))   |  |
| (a) if the international application contains not more than 30 sheets       | 650 Swiss francs   |
| (b) if the international application contains more than 30 sheets           | 650 Swiss francs plus 15 Swiss francs for each sheet in excess of 30 sheets  |
| 2. Designation Fee:<br>(Rule 15.2(a))                                       |  |
| (a) for designations made under Rule 4.9(a)                                 | 140 Swiss francs per designation, provided that any designation made under Rule 4.9(a) in excess of 8 shall not require the payment of a designation fee |
| (b) for designations made under Rule 4.9(b) and confirmed under Rule 4.9(c) | 140 Swiss francs per designation   |
| 3. Handling Fee:<br>(Rule 57.2(a))  | 233 Swiss francs   |

**Reductions**

4. The total amount of the fees payable under items 1 and 2(a) is reduced by 200 Swiss francs if the international application is, in accordance with and to the extent provided for in the Administrative Instructions, filed on paper together with a copy thereof in electronic form.

5. All fees payable (where applicable, as reduced under item 4) are reduced by 75% for international applications filed by any applicant who is a natural person and who is a national of and resides in a State whose per capita national income is below US\$3,000 (according to the average per capita national income figures used by the United Nations for determining its scale of assessments for the contributions payable for the years 1995, 1996 and 1997); if there are several applicants, each must satisfy those criteria.

