

Decision of the Administrative Council of 18 October 2001 amending the Rules relating to Fees: CA/D 31/01 (Article 10d RFees)

THE ADMINISTRATIVE COUNCIL OF THE EUROPEAN PATENT ORGANISATION,

Having regard to the European Patent Convention (EPC), and in particular [Article 33 paragraph 2\(d\)](#), thereof,

On a proposal from the President of the European Patent Office,

Having regard to the opinion of the Committee on Patent Law and of the Budget and Finance Committee,

HAS DECIDED AS FOLLOWS:

Article 1

The following new Article 10d shall be inserted in the Rules relating to Fees:

"Article 10d

Refund of fee for international preliminary examination

If the applicant, during international preliminary examination, has not asked for a detailed preliminary examination or has not filed any amendments under Article 19 or 34(2) PCT or any other arguments, two thirds of the fee paid for international preliminary examination shall be refunded. The details of the refund shall be determined by the President of the Office."

Article 2

Article 12, paragraph 2, of the Rules relating to Fees shall be amended to read as follows:

"(2) The reduction laid down in Rule 107, paragraph 2, of the Convention shall be 50% of the examination fee. The reduction shall not be granted if the Office as an International Preliminary Examining Authority has refunded the fee paid for preliminary examination under Article 10d."

Article 3

This decision shall enter into force on 3 January 2002 and shall apply to all international applications in respect of which an international preliminary examination report is drawn up by the European Patent Office on or after that date.

Done at Munich, 18 October 2001

For the Administrative Council
The Chairman
Roland GROSSENBACHER

